

United States District Court
for the Middle District of Pennsylvania

William R Branch
Plaintiff
vs.

Mr. Russell et. al.
Defendants

FILED Civil Action No. 3:cv-00-1728
HARRISBURG, PA

(Judge Conner)

FEB 3 2004

MARY E. D'ANDREA CLERK
Per AB

On ~~Notice to~~ of

Documents and Declaration of Plaintiff
in support of motion to deny Summary

Certified Mail #
7002-1000-0005-3999 Judgment w/ Exhibits
-2818

I William R Branch do hereby state under Penalty
of PERJURY that the following is true and CORRECT
and based upon my personal knowledge.

I have been a Inmate housed at S.C.I. Waymart
for all times Relevant to this Law Suit.

all named defendants did conspire together to
violate my Constitutional Rights of due Process, Equal
Protection, Freedom of Religion, access to COURT, Free
-dom from Retaliation. 1, 3, 4, Amend. 428 1994, 2000
(C. 5.17)(A) U.S.C.A

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Ms Julie Suchy, has sworn under Penalty of PERJURY
That the following is True and CORRECT and she state
Misconduct # 191014 is her PROOF that she is telling the
Truth. I charge Ms Suchy with PERJURY!

A Reading of Misconduct # 197014 state: "He told mason that I told him to do it" & he also stated: "Inmate mason took the Garbage out and later told me "Branch told him - I said (ms. Suchy) to do it." copy inclosed

in her Declaration she states: that I Gave inmate mason the option of performing another task or taking out the garbage but, She is lying as to what happen on the misconduct, also She ~~has~~ lied on MR mason he never told her I said She said for him to do anything. See a signed statement by MR mason in Exhibits AA-5 ^{inclosed} P. 9,8 it was Pasted to the court. enclosed Please find a copy of misconduct" 191014 and P. 9 inmate masons sign and written in his own hand and

MS Suchy attests to the true of mason Verison in her Declaration
Ms Suchy "Causal link" is timing. this misconduct
was to 1*

was timed * as I was coming up for parole. I had filed a

was lined as I was coming up for Parole, I had filed a
1983 also

1983 claim against a kitchen staff member Branch vs

Faberictore 1: CV-95-0751, and a check of my Pan-

dates will show the staff Police have kept me in confinement.

cares will show the Staff files misconducts against me around

The Time I come up for Parole in Retaliation for my accessing

The Courts and Reporting their misconduct.

Ms Suchy and others Ref 1 + 2 which

Ms Suchy and other Defendants conspired to

Deny me Parole and to force me to drop my law

as well as intimidate a ~~any~~ witness of the court.

She is not intitled to summary Judgment per

Rauser 241 F_{3d} at 334 " suggestive temporal proximity "

Richard Russian C/o Russian is not telling the truth if I am allowed discovery of the misconducts that C/o Russian has issued during his tenure here at S.C.i waymart will prove the type of % he really is.

1. Russian has only written one misconduct against me
2. I had informed his SUPERIOR'S about his violations of the Safety and Security checks see: Request to set.

* also see: motion Colleman Dated 7-15-00 2 Pg. * and a Grievance No # was filed with the United States Court of Appeals third issued and no answer. The date of the Grievance was 7-20-00 Circuit Dated 7-15-00. The fact that I had contacted Supt Colleman and Mr. Friedman, and naming two MR Gorman, Cpt Griffin, is attested to in Mr. Friedman's initial Review Response Wam-0232-00 dated 8-3-00 stating: inclosed

* you were told that your protesting about Mr. Russian looking into your cabinet was far in excess of what is considered

Request in Exhibit "normal" and gave the impression that you were hiding

Wam-0232-00 Pg. 1 AA-6

Something. This caused an investigation inspection!

Which Mr. Friedman ordered* as I stated in my Grievance

Wam-0232-00 Dated 8-3-00 on Page 5 of Exhibit AA-6 along with talking under my clothes hinting that inclosed

I was Gay to create a rift between myself and other inmates in and attempt have them harass me as well demonstrating his sadistic character!

C/o Russian hold Black inmates in contempt and he was and is a willing co-conspirator in the

staff's efforts to deny me access to court, to retaliate against me for so doing and reporting their misconducts. I ~~do~~ wish to state for the record I have been in prison for 7 yrs at the

time this all happen and until C/o Russian came to

M-2 I never had a complaint about the Safety and Security checks C/o Russian not only through my personal property all over my area and told everyone within ear sight what was in there but he also did it to other inmates to intimidate the entire block to say "if you get on my bad side this could happen to you" but he picked on those who were Religious, Protestant & Muslim's.

at this time I had a law suit pending against MR Friedman and other staff members CA #99-3507
M.D. civil action # 1:cv-99-0670. Presently stayed in the Third Circuit

The misconduct C/o Russian wrote was a complete lie and it was done because it reported is misconduct to his superiors, MR Friedman knew the type of officer C/o Russian was and used him to Retaliate against me he set him on me like a hound to the prey, as state above C/o Russian was and is a willing co-conspirator.

The causal link between C/o Russian is that after I wrote him up w/ a grievance and complained to his superiors he along with the leading of MR Friedman ordered and investigative search (which found nothing) and after I had open my lock cabinet and C/o Russian ~~After~~ rifled through my personnel property (which the DOC Policy states is not to be disturbed, nor was my presents ~~asse~~ necessarily, his calling me demonstrates his attitude and confirms my stating he said because he could. A reading of said Policy D.O.C. Policy 203 will confirm this fact.

Copy Policy Page 5 (F) section inclosed. ⁱⁿ Exhibit Grievance # ~~WAM-0232-00~~ C/o Russian has lyed about the misconduct he wrote and the Reason he wrote it "suggestive Temporal Proximity" he has states that I spoke to him about about the policy but he does not say that PRIOR to the misconduct his SUPERIORS Spoke to him about me Reporting his behavior, calling his credibility into question. he does not state that inmates have Reported him also, C/o Russian Violated my 1 amendment Rights and he Retaliated against me because I Reported his misconduct and he has Lyed to this court he is guilty of PERJURY if I am Grant discovery it will show the heavy handed Treatment of inmates by C/o Russian.

Milton Friedman Should have Recused himself once he ^{* Exhibit Grievance Read the * Grievance and saw his name mention calling} ~~# WAM-0232-00~~ Pg. 5 into question his Focusing on what the D.O.C Policy Did not say Rather than the Retaliation of C/o Russian This approach was designed to Justify C/o Russians actions. the due PROCESS is not meet unless the hearing is impartial, likewise the investigation must also be impartial, otherwise the Evidence ~~Rely~~ Relied upon to Justify the decision has to be thrown out.

MR Friedman Knew he was violating my Rights but was deliberately indifferant, his motive was to allow C/o Russian enough time to complete his task in this over all Conspiracy to Retaliate against me for my Civil action against them and my Reporting their misconducts.

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I have been very active in the 7 years I was on M-2 and this was not to the staff's liking, the issues of a non smoking Block Being over a smoking Block and the smoke coming up through cracks and the vents along with many other issues I have addressed one of which lead to my filing a 42 USC A § 1983 naming MR Friedman as a defendant, he told me: "unless you do the S.O.P you will max out". this gives MR Friedman a motive and "suggestive temporal proximity" thereby a causal link.

Friedman MR Friedman did not check the policy before the grievance he answered as he stated on Pg.2 of his Declaration #6 " In investigating the grievance, I reviewed Administrative Directive 203 governing security inspections. "#7. Is a lie this grievance was written 8-3-00 I was in the R.H.U per misconduct #

*Exhibit previously sent to the courts #A6 A151773 Dated 7-31-00 in #7 MR Friedman states he then spoke with Branch and officer Russian, a conflict between C/O Russian and Friedman who does not mention speaking with MR Friedman.

if Russian or MR Friedman acknowledge they spoke before I went to the hole etc.... also I could not be moved from the side room at this point, I am in the R.H.U, also when MR Friedman and I did speak as I stated he was not aware of what a safety and security check entailed yet he allow this C/O to continue on conducting them in violation of D.B.C. A.D. 203. #10. MR Friedman never watched C/O Russian conduct a safety and security check, even after the Supt told him to

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Handle my first, and the statement of if I hear any more arguments from anyone in this Room I will move all of you, from MR Friedman was not needed, at the time my two cell mates were arguing. in fact I was not even in the Room I came up later and I explained to him that it was them, he was adamant. so I asked to be moved out to avoid any misconduct because of someone else's lack of control. out in the dorm area C/o Russian acted up w/ the understanding he and MR Friedman had of keeping the pressure up on me.

The causal link with MR Friedman is his ascribing to me a trouble maker when at the time I was not causing trouble and the memory lapse as to the order of events and slothful review of the initial request and in failing to watch C/o Russian do a safety and security check.

MR Friedman stated that C/o Russian acted properly this is a "suggestive temporal proximity"

C/o Russian checked my area two time's and he had me open my locker yet he MR Friedman ordered a investigation search as stated in the ~~investigati~~ initial review response WAM-0232-00 included in C/o Russian Exhibits.

No one found anything so I did not have anything to hide, so I was not acting or giving the impression that I was hiding anything. making this a trumped up charge. I am not to be retaliated against and MR Friedman and C/o Russian had no legitimate reason for moving me from the bottom bunk to the top bunk

as he stated it was not to punish me but he does not state why he did it seeing I had Bottom Bunk Status from the medical Dept a check of my medical Records will attest to this, yet I was still moved and the inmate they moved in Snored and I mean he Snored so bad the ~~lens~~ C/O did not want him near him but because this man was so unpleasant they put him under me in the Second Smalls Room with 2 other men if you know anything about Snorers this man would keep them from sleeping, but MR Friedman states I never did anything to punish MR Branch for sueing me can he be trusted?

Donald Fiske I have nothing bad to say about Bro Fiske he is a Born again Christian. nor do I feel Mr Neil Heffernan did anything wrong. My Reason for naming Mr Heffernan is that the staff used his name on the document used to change my calories Count and he stated that he did not order it*, at the time I was in the Hole/RHU and Relates to the amount of Food I received and the change would Reduce my food also my included in Bread was stepped on by the C/O's and my drinks were spit in the air condition was kept so low my Bone's ached, now Remember I was in the RHU Because the C/O Russian Said I threaten him and Raised my hand to STRIKE him. the staff made every effort to make my stay as stressfull as possible This Shows a conspiracy the "Causal Link" and Retaliation by staff

* See: Request to Heffernan Dated 8-7-00 and Diet order Form Dated 7-30-00

Lt. Wellington was head of the RTU during the time I was in the RTU at the time I was in the RTU I had a criminal appeal ~~and~~ pending as well as civil complaints I was ~~denied~~ denied pending injunctions and motions as well as my criminal actions. These facts are a matter of public records. Case # and courts C.A. No. 99-3507 Commonwealth Court 9304-4634 M.D. No. 1:CV-99-0670 Motion denied as moot Sept 11, 2000 (injunctive relief)

Letter Dated 9-9-00 To Superior Court on Green Paper because I was not given proper line of White Paper, asking for the appointment of counsel motion was denied because I was not allowed the ~~to~~ help of * Request AA6 ~~had~~ no money. * Grievance # help of * Joe King inmate same status as myself being held in the RTU. where the D.O.C. Policy clearly stated that 2 inmates could use the mini law library at the same time other staff members who I contacted see letter included and court order denying motion inclosed for lack of showing a strong Prima facie Com:wealth Vs. Branch in the Superior Court No. 2429 EDA 2000 c.p. Phila. County No. 90-04-4634-464 filed Oct 4, 2000. Copy inclosed

Request Slip to PRC inclosed copy complaining about not receiving my legal material and not being allowed to attend mini law library, the extreme cold along with other problems medical needs Knee Braces and my knee's aching from the cold and they continue to keep it cold and refused to give me another blanket or grease and a proper comb to maintain my Religious Based uncut hair (Nazarite) which must be well kept ("combed and cleaned and Greased") otherwise it will fall out and violate my belief.

Exhibit AA-6 I had my legal papers w/ held from me Not sent Page 5B * on Request Exhibit Date 8-4-00 I was placed in the RTU 27th then kept my papers

Lt Wellington had my legal papers for over 30 days then they turned up stating they were placed in another area and they just found them. My request was answer 8-22-00 Pg 4 AA-6 Grievance dated 9-05-00 Returned telling me to write Lt. Wellington. During all this time I had legal motions pending and the appeal of my criminal conviction was in process.

On 07-05-1996 my legal papers were mailed out, without my permission see Exhibit AA-13. Pg 7. I bring this to the courts attention to show a pattern of past violations.

I was told I had to mail out my property I packed my property, but I did not put any legal work in what I packed.

I was in the middle district court CV-1:cv-95-0751 Branch Vs Faberictore.

The staff put my legal work in my property to be mailed out I wrote a request asking them not to mail it out before it went out but they mailed it out any way I was put in the hold for stopping a fight and let out the same night but while I was in the R.H.U. They made me mail out my property Lt Griffin now Capt got me out, looking back I believe he is a team player.

Lt Wellington balled up Request (Stamp Dated 8-3-00 from Supt ^{sent to court} Colleans office and it was returned to me on 8-15-00) and threaten me to stop reporting his staff to the Supt. or he would stop being nice "Causal link"

To this officer I hold out a olive Branch if he will admitt his wrong doing and cooperate with this court, I will ask this noble court to grant him amnesty on prejury and prejury carries time in jail. I will be asking for no jail time

FOR Lt Wellington and it's protection and confidential protection
The only one's to know of this proposition is ms Mosley esp
and the court unless the staff opens my mail to the
courts.

in any event I fill Lt Wellington should be
informed of this proposal. as the courts already
have this request and if this august court turns
it over to the f.B.I I am confident that a Palm
Print will be present and prove in what manner

Lt Wellington handle this Request Slip. Exhibit AA-3 Docket

37 10/10/01 ^{Pg 1} also his statement of "if you do not stop reporting my
staff I will stop being nice" qualifies as causal link
"Suggestive temporal proximity"

C/o Karwowski starts his declaration prejuring him self there
is no top bunk on f-2 in cube#1 in that cube #1 I was
in a bottom bunk, I put in a request to be moved and c/o
Karwowski denied the move knowing the type of inmate
housed next to me MR Pennington who latter on went
to the RTU for exposing himself to the lady c/o at
night ms. P. MR Pennington is a muslim and I am a christian
and when I tried to pray he would start saying I need
some womb or I want some guts. I wrote ms martin
3 request and I spoke directly to her about this problem
See AA-10 2 pgs. dated 11/26/00 & 11/27/00.

C/o Russian delayed moving me Hoping I would be beat up.
then he did move me it was to a top bunk after allowing
several lower bunks to be filled as they became open.
I was moved by c/o Karwowski but to a top bunk

g/o Karwowski and at this time I had a Bottom bunk status infact the medical Dept had given me this status on m-2 because of my Kneels still MR Fried- man and g/o Karwowski and the g/o on D-2 put me on a top Bunk as well as C-1. a check of the Control Records of inmate Beding will show that the staff was deliberately indifferant to my medical needs placing me in a position where I could be hurt.

about 3 or 4 weeks later I was moved again this time to a lower Bunk in a cramped area

g/o Karwowski moved a man out of the cramped area to a bed with more room and put me in that cramped area. latter on I asked him to move me to a bed with more space he refused and he kept me in that bed for over a year moving other inmate as they asked him a Review of the Records will show this.

along with this move g/o Karwowski had placed me next to a N.O.I Muslim who hated people with long hair he had a Z code because he had beat his cell mate up before because he had a afro and the hair kept sticking to the wall. this happen at another prison.

g/o Karwowski has been violating my civil Rights for over three years. He wrote me up stating I was not sitting up for count when I was I had three witness who testified at the hearing, yet I was found guilty "Go figure" ^{mailed to count not to ms mosley} see: Exhibit AA-8 one g/o counted me on 11-17-01 I was sitting up g/o Karwowski passed this same g/o at my dorm area and yelled sit up Branch then wrote me up Please Note the PRC members on Pg. 5 of

C/o Karwowski Exhibit AA-8 MR fRIED man! How fair can he be? Misconduct # 627233 10Pages, after I was found Guilty C/o Karwowski Said: "you are sitting when I say you are sitting" implying that I may have been sitting, but if he said I was not then I was not. "Go figure". The other C/o who counted me was C/o Muir and conspired with C/o Karwowski by not stating the TRUTH we live in a dorm area, a officer can see all inmate on their Bunks C/o Muir in passing could have asked me to sit for count by him not asking me means I was sitting for count. My knowing C/o Karwowski did not like me and that he would be looking for any chance to write me up. Common Sence would lead me to be sitting properly, his impatients lead him to fabricate this misconduct in a effort to Retaliate against me. Exhibit AA-8 misconduct # 627233 has already been Posted with the court per Docket sheet # 62 Date 1-14-02.

C/o Karwowski also opened my mail and Read it
Not posted to anyone
No money
See: Grievance # ~~misconduct~~ WAM-12215 also used foul Langue calling me a asshole and denied that he didit and Exhibit AA-4 ^{Posted to court not MS master} Grievance # WAM-149-01 and witness statement by Charles Davis DW 8054 in his own hand wrtting and Return of inmates Grievance by Supt. Collehan where a staff member I Believe C/o Karwowski Wrote WAAAAA! because it was un stapled. Please not that C/o Karwowski had written me up on 7-9-01 but I was not Given a Hear it went to informal Resolution, This angered him prompting his utterance: "Come up here you asshole" The write up also comes at a time of my

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C/o Karwowski of my Parole Interview, thereby giving rise to C/o Karwowski filing this ~~is~~ false misconduct to ~~to~~ Retaliate against me for Reporting his Passed misconducts and my filing a § 1983 complaints against Staff and C/o Karwowski. I wish to inform the court that Supt Collehan fails to answer Grievances OR his Staff does not deliver them to him and any event this amounts to conspiracy! a ~~convenient~~ convenient mishap. C/o Karwowski used the quators card to support his action I had 7 yrs in this PRISON PRIOR to C/o Russians Lye that I threaten him and I ~~at~~ only had about 3 quotor cards in fact the PRISON had to Remove most of what a Block C/o had written about me on the quotor cards because he had wrote next to my name "Religious fucker" on A-3 Block I informed the courts in 1: CV-95-0751 MD Branch Vs. faberictore. and he use's other C/o's I help C/o Sawchuck WORKED the block F-2 one day when I was on the top Bunk he insisted that he make a entry he latter told me MR Branch I never had a problem with you C/o Karwowski does not like you! "Casual Link" Misconducts written around the time of Parole hearings and other adverse action taken against C/o Karwowski as well as statements uttered by him met the third prong ~~Required~~ Required in Rousner "Suggestive Temporal proximity" I was on F-2 for three years and this C/o had a field day mistreating me.

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Go Karwowski Grievance # 21373 + 21894 is about The staff harassed me about getting my Diet Food and going to church. I was given permission by one officer to go to diet line when it was closed I was told to go to ~~the~~ the main kitchen to get my Diet bag and to eat in another Dinning Hall by staff. these staff I am complaining about ~~who~~ wanted me to miss the meal know I am Diabetic / I have sugar Diabetes and Hi Blood Pressure they were TRYing To kill me with these threats to put me in the RHU and constant Pressure.

Go Karwowski not only harassed me he placed me in three Hostile positions, with Mr Pennington over Mr Hedges who beat Mr Wembely up with a lock in his hand and kept telling me "why don't you move" he would come to his bed and throw his books or whatever he had at the wall (to make me afraid.) and finally beside Mr James Bond a N.O.I. Muslim who had a Z code ~~status~~ status, as well as tell other staff members to write me up. and being threaten with what the Staff Terms "Put on the Bus" if I didn't stop writing up staff and filing law suits. This TERM means, I would be TRANSFERRED and when I Reached one PRISON I would be TRANSFERRED again and this would continue over and over No end.

"Suggestive Temporal Proximity"

Go Karwowski and his CONSPIRATORS did this to Punish me ~~and~~ in Retaliation for my exercising my Constitutional Rights and Reporting their Misconducts and accessing the court.

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C/o KAR WOJKSKI and his co-conspirators attacked my Religious freedom by setting Rules for attending Service that violated the PRISON Policy to leave for Service's, Choir Practice, and Bible Study See: Grievance # 13578 where the Zone Sgt Sharist (the one with the Longer strips) and C/o Bikos came to bible study and removed me stating I told you you could not go. I came to the Desk at about 6:12 PM the call out was for 6:10 he stated I had to be there 5 mins before 6:10 the PRISON Policy is if the class is for 6:10 you have to 6:20 to leave or there about I was well within this Range See: inmate WARREN MYERS EG 5427 statement attached in his own hand WRITTING I was denied to practice my faith by these conspirator per the ~~note to~~ notation on the Block ~~not~~ c/o Pad as the linking [nex us] Citing: Woods vs. Smith 60 F3d 1161 (1995) LET Civil Law Key 135 Prison disciplinary action motivated by Retaliation for Prisoner's exercise of constitutionally protected Rights is actionable even if act, when taken for different reason, might be legitimate.

All these action were motivated to Retaliate against me and deny me due process

Chaplain Gagas in view of Gagas statements I now request Legal fees as well as damages I have requested because the Policy Employed by the D.O.C. Violate the EXPRESSED ~~not~~ Definition CONGRESS has stated in 42 USC A 2000 e.e. 5. (7)(A) That the Exercise of Religion under the 1 amendment now means [any] Exercise of Religion [W]hether or not compelled or central to a system of

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chaplin Gagas Religious belief. Plain language
 An inmate comes to PRISON studying the bible Receives
 a Revelation from God about Numbers 6:1-21 Old
 Testament of the Holy bible this was Practice by Paul and
 members of the Early church Put themselves under a vow
 To God Acts 18:18 Paul cuts his hair at the end of his vow
 Acts 21-26 Paul Pays for these men who were under a vow
 and he Took them to the Temple to PURIFY himself with them
 to let all know that when the days of the vow were complete
 they would bring a offering for each man.

Based upon this the bible supports a man
 Putting himself or a woman under a vow to God Romans
 12:1,2 tells us to Submitt ourselves as Living Sacrifices
 Holy and acceptable unto God which is your Reasonable Service
 My life I live in a deep Relationship with God I
 for Sake ~~of~~ worldly ways I CRUCIFIED my carnal
 ways, what so ever is pure and true those things I
 meditate on. Now whether this is a central tenant
 or not it does not matter, it is scriptual and I
 Believe it, and practices it. the dept of CORRECTION
 can not require anyone to prove what they believed
 Before they came to PRISON in order to Recieve and
 Exemption. Logic PRISON Brings about change
 a man comes into PRISON Believing one thing thru
 studying and attending church the Lord gives him
 Revelation as he draws near to God. I teach bible
 Study Here at S.C.L waymart on monday for Second
 chance ministry Rev Tom Duggan PO Box 3275
 Scranton Pa. 18505. conversion is part of Religion

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Chaplin Gagas and the D.O.C. in their Policy has not allowed for that Pastor Gagas has not listen to God But has ~~try~~ Relied on the D.O.C. Policy because he does not wish to lose his Job thereby he has violated my Constitutional Rights of Freedom of Religion by his own words he use's the policy at #7 of his Declaration that an exemption require's an inmate to provide ~~an inmate~~ in addition to the Request a a Letter OR Certification from the out side / a Group from the outside. Congress has stated that my beliefs do not have to be held by anyone in my church. I am an ordained minister of the Universal Life church

See: united states Dist Court of eastern Dist California Universal Life church Vs. United States of America

Civil No. S-1954 ORDER Dist Judge James F Battin

Neither this court nor any Branch of this Government will consider the merits or fallacies of a Religion.

NOR compare the Beliefs, dogmas, and Practice of newly organized Religion with older more establish Religion etc....

it's so ORDER that plaintiffs be and is entitled to Federal Tax exemption etc.... See Exhibits A&I based upon the fact that I am a ordained minister in a Recognized church I am best able to say what I Believe and Receive and exemption as this has happen since I came to prison.

That being said Pastor Gagas is also a conspiritor to Relaliate against me for exercising my Constitutional Rights and he has violated my Equal Protection Rights by takin...

Chaplin Gagas name off the call out for choir and he has left other inmates names on the call out who have gone to the hole as well as inmates who ~~are~~ no longer serve in that office MR Perez, MR Henry, MR White was in the hole MR Brynn Buffin, MR Evans, MR Wesley all these inmates do not function in these capacity yet he has not removed their names demonstrating his alliance with the staff to punish me for reporting his misconducts and retaliate against me for exercising my ~~constitutional~~ Rights of freedom of Religion, as a Nazarite my hair was not to be cut I approached Pastor Gagas and asked him to help me deal with Capt. Gavin until I could receive and exemption he told me I am to ~~business~~ busy, I said they are going to force me to cut my hair on Monday he said I cannot be ~~more~~ bothered with that now and walked off. he did not say see me after church OR I will call you down in the morning OR I'll call Capt. Gavin and ask him to give me more time until he looked into my issue, he states he knows the policy, then at the time of our conversion he knew this was a issue dealing with my belief and a violation of my constitutional rights.

Chaplin Gagas is Prejudice toward my Nazarite belief and inmates with long hair his belief are you don't need long hair to worship God, he has a right to his belief's, but when he allows his belief to prevent him from protecting my constitutional right to freedom of exercising my faith, he is liable to me!

chaplin Gagas the next day my hair was cut. I was brought a pass after I spoke with MR Burk counselor on C-1 who would not allow me more time nor would he allow me to contact chaplin Gagas the fix was in they had all talked about this and formulated a plain Conspiracy to violate my First amendment Rights (my hair was not down over my collar it was Braided up and my beard was & Rolled up under my chin there was no security issue only that they did not like the way I looked.

I am not on the callout yet see Exhibit AA-1 Request asking chaplin Gagas To put me on the call and To consider me to be minister of music. Dated 1-07-04 to this date I am still not on the call out this come on the heel of a notice to him that the trial is about to be held this is not the only time he has Retaliated against me by taking my name of the call out for choir practice choir practice and worshipping God are the ways in which I show my devotion to him a part of my beliefs as well as taking a show before going to church the prison does not allow inmates to show before 8:30 ^{AM} on Saturday I am on the Catholic choir also and the choir is called out at 8:00 I asked the Blck C/o MR Gowatt to allow me to show he and Capt Griffin said no, contact the major.

I point this out to show that in light of the facts of inmate arguing and being granted this religious exercise the staff still applies this benefit by allowing the go on each Block to say yes or no this prison also want

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chaplin GagAs be change and I ask the court To Grant legal fee's as Relief for helping the Doc. to better protect the constitutional Rights of inmates "causal link" Pastor GagAs by his own word affirmed that he was familiar with the D.O.C Policy of inmates G-Rooming Policy as it Relates to Freedom of Religion in Light of this § 42 U.S.C.A 200 ^{COPY inclosed} ~~cc~~ 5.(7)(A) stating That any belief Wether or Not central to the Religion is covered by the term Freedom of Religion as stated in the First amendment! Chaplin GagAs also stated: "That No where in the bible does it (state) basis not to cut his hair" see: Page 3 of GagAs Declaration in Documents in support of ~~sa~~ Defendant's motion for Summary Judgement. The bible at numbers six chapter fifth verse: "all the days of the vow of his separation there shall No Razor" come upon his head --- he shall be Holy and shall let the Locks of ^{the} hair ~~of~~ of his Head grow. Pastor GagAs his prejudiced himself! demonstrating a conspiracy with the staff to punish me and put me in the RTU by writing a misconduct for me exercising my Freedom Religion Right.

429 U.S. 274 1977 a Plaintiff Bears the Burden of Proving that his Protected Constitutional Conduct was a Substantial OR motivating factor for the decision to discipline him. the D.O.C TRAINED Chaplin GagAs to handle This type of issue he gave his input and they gave theirs, using the Policy to accomplish the preJUDICE REGARDLES of know Law stating that hair pulled back and Tied up Possess No SECURITY RISK

42 § 2000cc-5**PUBLIC HEALTH AND WELFARE Ch. 21C**

claimant's use or development of land (including a structure affixed to land), if the claimant has an ownership, leasehold, easement, servitude, or other property interest in the regulated land or a contract or option to acquire such an interest.

(6) Program or activity

The term "program or activity" means all of the operations of any entity as described in paragraph (1) or (2) of section 2000d-4a of this title.

(7) Religious exercise**(A) In general**

The term "religious exercise" includes any exercise of religion, whether or not compelled by, or central to, a system of religious belief.

(B) Rule

The use, building, or conversion of real property for the purpose of religious exercise shall be considered to be religious exercise of the person or entity that uses or intends to use the property for that purpose.

(Pub.L. 106-274, § 8, Sept. 22, 2000, 114 Stat. 806.)

HISTORICAL AND STATUTORY NOTES**References in Text**

This chapter, referred to in text, was in the original 'this Act', meaning Pub.L. 106-274, Sept. 22, 2000, 114 Stat. 803, known as the Religious Land Use and

Institutionalized Persons Act of 2000, which enacted this chapter and amended sections 1988, 2000bb-2, and 2000bb-3 of this title. See Tables for complete classification.

LIBRARY REFERENCES**American Digest System**

Constitutional Law ¶84.1.

Key Number System Topic No. 92.

Encyclopedias

45C Am. Jur. 2d Job Discrimination §§ 2546, 2547, 2680.

60 Am. Jur. 2d Penal and Correctional Institutions § 122.

WESTLAW ELECTRONIC RESEARCH

See WESTLAW guide following the Explanation pages of this volume.

Notes of Decisions

Exercise of religion 1
Land use regulation 2

1. Exercise of religion

Determination that individuals describing themselves as evangelical Christians

were not substantially burdened in exercise of their religion by National Park Service regulations prohibiting sale of message-bearing t-shirts on National Mall, and thus that their rights under Religious Freedom Restoration Act

Page 21

Chaplin Gagas Citing: Benjamin V. Coughlin

905 F2d 571 at 577 (2 Cir 1990) Cert denied
498 U.S. 951 (1990) Stating there exists an
alternative means of accommodating Plaintiffs
Religious Rights without undermining the
Legitimate Penological interests.

Re: Capt. Gavin's Declaration Pg.3 #9 states the
Penological interest all of these being address
by the courts and as stated above there are
alternative means that exist that will not undermine
the Legitimate Pendogical interests, this is the
law of the land as the United States Supreme
Court has denied CERT. in 1990 10 yrs before
this alleged violation of DC-ADM 807. an
infringement of a inmates Religious Rights is
allowed if ~~there~~ it serve's a Legitimate Pendogical
interest. as stated above there exist alternative
means to accommodate Plaintiffs Religious Rights
In light of this and Pastor Gagas statement
I don't have time of that and MR Burke calling the
C/o to write me a pass to go to the ~~Barber~~'s
Barber Shop and his stating that the Bible does
not support me not cutting my hair and Capt Gavin
Threatening me, to write a misconduct and putting
me in the RTU (as I was just released for
C/o Russians Misconduct and the fact that he

DC-ADM 819, Religious Activities Policy**Page 8****F. Food Service**

All inmates who are assigned to work in Food Service shall adhere to Department policy **DC-ADM 610, "Food Service"** regarding sanitation and hygiene during working hours. Inmates with a hair exemption shall be required to secure their hair and wear the appropriate headwear during working hours. All religious headgear must be kept clean and completely covered by a hair restraint approved for use in Food Service.

G. Accommodations³

1. Special foods and diets may be provided as required for the celebration of major religious holidays consistent with established Department of Corrections policy. Otherwise, food preparation shall conform to Department policy **DC-ADM 610, "Food Services."**
2. A request for a religious accommodation that is not covered elsewhere in Department policy shall be made as follows:
 - a. Each inmate must use a **DC-52, Inmate Religious Accommodation Request Form (See Attachment A)** to submit his/her request for accommodation to the FCPD.
 - b. In cases of an inmate request for an exemption from Department policy **DC-ADM 807, "Inmate Grooming and Barber/Cosmetology,"** the inmate must submit a DC-52 within 15 working days of receiving the order to cut his hair. If no DC-52 is submitted within 15 working days of the initial order to cut his hair or no religious accommodation is claimed, the inmate shall be subject to discipline in accordance with Department policy **DC-ADM 801, "Inmate Discipline."**
 - c. The inmate shall obtain written information from his/her outside faith group, including any publications that describe the goals, beliefs, and practices of the group and supply this information to the FCPD for review.
 - d. The Religious Accommodation Review Committee shall review each inmate's request for a religious accommodation within 45 days of receipt and forward a recommendation to the affected Regional Deputy Secretary.
 - e. The Regional Deputy Secretary shall, within 15 days of receiving the recommendation from the Director of the Bureau of Inmate Services/designee, approve/disapprove the request and notify the Director of the Bureau of Inmate Services of the decision.
 - f. The Director, Bureau of Inmate Services shall, within 10 days, inform the Facility Manager and the FCPD of the requesting facility of the determination and ensure copies of all final determinations are provided to all Deputy Secretaries and Facility Managers. The FCPD shall be responsible for

Page 22

Chaplin GaGas Capt. Gavin and Deputy Shemo moved me back to the Block after I was forced to cut my hair. Came to the Block to Gloat about having me cut my hair (we can do whatever we want to you and No body can stop us).

As deliberate in difference to my Constitutional Rights a violation of Established Law, Placing me on a top Bunk on C1 with inmates who smoke

Knowing I don't smoke M-2 is a non smoking Block and I had Bottom Bunk status Pre medical Dept Up Rooting me from one Block to another moving me after threaten me if anyone in this Room argue's I will move everyone when I was not even in the Room etc..... demonstrates the

"~~███~~" Suggestive Temporal Proximity"

The D.O.C has changed their Policy and allows 15 days to get a exemption for your Hair but as I stated above it does not allow for a Revelation from God bring about a ~~conversion~~ conversion by a inmate to this end I am Requesting legal Fee's as well for Show the necessity of a Policy Change ~~etc~~ along with other Damages Previously outlined.

Capt. Wayne Gavin

Capt Gavin Gives the Court a clear and ponderable statement in his Declaration on

Page 23

Capt Wayne Gavin Page 2 #7 "I do not afford them the opportunity to disregard my direction and then request a Religious exemption."

This state is contrary to D.O.C Policy ~~819~~ Pg.8 G.2. b. which Provides a 15 day grace period before a inmate can be forced to get his hair exemption DCADM 819 G.2. b. What he goes on to say is equally (I conoslast) Revealing "I have never interfered with Branch's efforts to apply for or receive a Religious exemption from the hair cutting Requirements of DC-ADM 807."

I asked him for time to get the exemption by his own mouth he stated above I do not afford them the opportunity also the fact that they Rushed me to get the hair cut (MR Burke, & Sherman, Lt Patterson, Pastor Gagas Being to Busy, Just as I needed the exemption) this also show's a Conspiracy To Violate my Freedom of Religion Rights

Capt Gavin name appears on many of my misconducts that Violate my Constitutional Rights, Ms SURace fireing me for Going to the Law LIBRARY. He should not have authorized that misconduct, he also held over misconducts that should go to informal Resolution for Hearing around the time of Parole and to put me in

Page 24

Capt Gavin for Reporting misconducts of staff and accessing the court, the Sgt who wrote misconduct

*
also see:
GRIevance #
23229 approved
By Capt Gavin
a write up for
Report-ing the
abuse of Sgt.
McAndrews
Date 6-16-02
against me

#627263* Sgt mc andrew I had Reported him for abuse he punched and Pushed me for no Reason, the staff said I was Lieing and Put me in the RTU for 90 days I filed a amend 81983 complaint at the time, Sgt mc andrew filed this misconduct which should not have been filed NOR authorized by Capt. Gavin a confication slip should have been WRitten and the piece of wire taken I had put the wire in the trash can

I am still Pleading w/ the court to allow me supplemental pleading this will further show the abuse's of the staff against me and the length of their Conspiracy. I know Prison is not Home sweet home, I only wanted to do my Time and Go home but the staff wanted to make me Suffer and they did for 11 yrs but along the way they violated my Constitutional Rights and when I Reported them Rather than back up the got more aggrieve in the hope that I would drop my complaints.

"Causal link" Capt Gavin and Deputy Shemo his SUPERIOR moving me to M-2 and gloating of my hair being cut and Capt. Gavin encouraging his staff to ~~will~~ write me up and his authorizing these false and questionable misconduct demonstrates the "Suggestive Temporal Proximity" I have

Page 25

Capt. Gavin over heard the Capt's telling C/O Karwowski, C/O Gowatt, and other staff members to watch my ever move and write me up for all violations that they will okay them! the C/O's often call them before they write a misconduct on me so if a misconduct violates a Constitutional Right they have conspired with that C/O. mailing out my mail without my permission Exhibit AA-2 Misconduct #990495 dated 09-25-1997 Page 5 and misconduct #295142 dated 10-10-1997 same Exhibit. Page 6 centered around legal paper stated above I had a law suit pending and a appeal for my Criminal Conviction, this is a ~~substantial~~ substantial burden on my access to court, thereby denying me due process. also see AA-13 Pg. 7 Dated 07-05-1996 The response was dated 07-08-1996 the staff intentionally waited until they had mailed out my legal papers before responding.

Martin Walsh Mr Walsh has the charge of Education and the law library. he has allowed the most strictest rules possible in allow inmates to access the law library thereby hindering my access to the courts and frustrate my pleading to the courts as well as my researching case law. These are substantial hindrance's and thereby they deny me due process. he and his staff have retaliated against me for reporting their misconducts and

Page 26

(Martin Walsh the misconducts of other staff member and filing § 1983's against the D.O.C.. they also Retaliated against me for exercising my Freedom of Religion by droping me from Night School (ms wilbur) who change the days of the class so there was no class on wednesday, but Refused to allow me to attend stating: "because you open your mouth to fast" as I had stated "I Belief that choir practice is a part of my Religion and that I have made a vow with God, and in order To Keep my Vow I have to attend choir practice"

also the School had been allowing other inmate to attend choir practice (inmate Ayers, Welton DM 9082) was on the choir and was allowed to go to practice! But I was not allowed. See: Exhibit AA-7 & 428 2000 cc.s.7A

the staff stated that they do not consider choir practice Religious exercise, this stated in his Declaration Pg. 2 #5 and by ms wilbur in her Declaration Pg. 1 #3 . this was don't to Retaliate against me for accessing the courts and to force me to withdraw my law suit, as well as limit ability to pay court cost, make copies, Pay Postage, these are major issues as I was being payed to attend class and at the time I was going to class 4 nights a week not two as ms wilbur states. I would point out that I already had my G.E.D. I got it the first Time I took the test with a score of 292 ~~the~~

Page 27

Martin Walsh Third in my class in 1995 or 94

I was in class in order to attend the Typing class a class that would have helped me plead my cases better and the this date I have not been allowed to enter a Typing class or computer class. I have tried two other English class's to Raise my understanding of ~~Punctatton~~ Punctuation and Grammer I finish one class doing very well I was told I need a second ~~sum~~ term and I did When I spoke with MR ORR about Typing class he told me I need a test and the the teacher should have tested me. at this time the D.O.C. had mandated all inmates had to bring up their Reading and as I already had my G.E.D I was not allowed to enter the next class. I have spoken to MR ORR in passing and he has state that there is no Room. other inmates were allow to stay. This all was done in Retaliation for ~~accing~~ accessing the courts and for Reporting Misconduct by staff, the staff entered into a conspiracy to deny me Equal Protection and access to court and to Retaliate against and the Violated my Right to exercise my Religion (Iconoslast)

because I am a Nazarite and wear my hair long and Exercise my Freedom of Religion and access the court They want to Punish me and deny me the Benefits the Constitution of America Provide's us all.

the next point M Walsh is head of the

Page 28

Martin Walsh Library, Employed under him are Ms Derrick and Ms Colachina. They have taken Books and Put them in Ms Derrick's office and have not Listed them and Placed the List out in the law library So inmate can ask for them they have Played with my Request slips To attend the law library they have held up my Request and said the just Recieve it to late for me to be Put on the call out sheet, they have Placed me on stand by and called me down with 1/2 hour to Research. the copier has been down for months on end.

Ms Derrick has attempted to cause me to be beat up by shouting out loudly what my charges are for being in prison, in Retaliation for my accessing the court against staff and my Religious Belief and for writing her up. See Exhibit AA-16

The law library is a substantial element in my access to the courts, Ms Derrick, Mr Walsh, Ms Colachina, have all hindered my access to court by these acts and others see: G.Riviance # 18763 although she did not state what was here for she ~~accused~~ accused me of a sexual crime give other inmate's the impression that I am a sex offender, to show a conspiracy when I spoke to Mr McDonnell my counsel, he told me he told her what I was in prison for and that she as a staff member was intelle to have that information

Page 29

M Walsh So when she asked me why I need information about Computer Generated imaging, she knew already and her talking out loud like that was well planned because Mr McDonnell said that's not what you are here for are you!

"Causal link" Ms Derrick is a Conspirator with Mr McDonnell and Staff to Retaliate against me for exercising my ~~constitutional~~ constitutional Right of accessing the Courts and Reporting misconducts by her and Staff.

"Suggestive Temporal Proximity"

Carol Surace

Retaliated against me because I had a court date and got ~~premission~~ Permission from MR Fried man my counselor MR Long I spoke with Ms Surace, She said you will not be payed.

at the end of the 30 days I tried to return to work Ms Surace called the Block Spoke to C/o obelenus who placed it in the log Book that I had been layed in!

I never Pleaded Guilty yet the Hearing Examiner said I did why would I do that knowing I was not guilty. MR Welby did to me on both of these write ups 990495 and 295142. they all conspired to Retaliate

Page 30

ms SURACE against me for exercising my Constitutional Rights to access the court in her misconduct she stated that I was going to the law library and because of that she wrote a misconduct! if 4/6 obelenus had not foiled their plans by writing it in the Log Book, at the time this was happening I was Suing a staff member that was a good friend of ms SURACE, she was trying to help him out! See: AA-12 Pg. 7 also Please not Capt. Gavin okayed this misconduct he also is a friend of these staff members (conspiracy).

I was Given the Job Back and on my Return ms SURACE yelled all morning at me HURRY UP faster. my Blood Pressure went Sky High when I Returned to the block I took a aspirin and I fell asleep the 4/6 called and asked if I was going to work I said yes but ms SURACE told him not to send me and wrote me up again and ~~4/6~~ cited the same thing as a Reason See Page 4 misconduct 295142 dated 10-10-97 and capt Gavin okayed it again, MR Welby Said I ~~Pleaded~~ Pleaded Guilty when I did not. ms SURACE said this is a on going Problem with Jim Branch not Reporting to work! I was Retaliated against for accessing the courts and the staff Conspired Together.

Page 31

Ms Surace To Punish me for exercising my Constitutional Rights by filing a false misconduct in the my not Going to work because I was at the Law library does not constitute and unexcused absence and should not have been used as evidence against me! this is clearly a violation of due Process therefore Ms Surace, Capt. Gavin, MR Welby, MR Nish, MR DelROSSO, MR Sobotor, and other John Doe Staff member Conspired to Remove me from the Garment Plant because I went to the Law library to prepare my legal papers and did Research in order to meet a Court Date. they did this to Retaliate against me to force me to Drop my Law Suit and to Stop Reporting their misconducts

Now to the issue of the Statute of limitations the courts are to Read PRO se Pleading liberally and Amendments are to be Granted as well as supplemental Pleadings. I am not a lawyer and the court as a matter of Justice has a duty to tell me where to Plead my case's as well as how to CORRECT motion titles OR to open another §1983 complaint on 9-28-97 I filed a motion in the united States court of appeals for the third circuit C.A. No. 95-cv-00751 check the court Docket the motion to ORDER injunction and to add Defendants to my 1983 claim. this should cover the Statute of Limitations. if not this will

Page 32

MS SURACE Serve to show the mind set of the staff. I would also like to point out that the D.O.C. allowed me to represent this issue in Grievance # way-118-01 Pg.2-A at the bottom of appeal to Secretary's office of Inmate Grievances and appeals, also cited on initial Grievance Pg.9 Generally "I have been fired from jobs on false charges... Hearing Examiners stating I pleaded guilty when I had not. The courts are aware that the D.O.C can allow an inmate a opportunity to exhaust ~~and~~ administrative remedies before an inmate can open a § 1983 complaint the fact that I initiated the amendment in 1997 and the court did not do its duty but dismissed my motion and did not tell me to open a new § 1983 which I think would have been wrong as this was a Retaliation act of going to the law library to meet a court date for the Third Circuit appeals court.

"Causal Link" has been stated and shown by the up holding of this misconduct and the false statement of my pleading

"Suggestive Temporal Proximity"

Page 33

Statement of the issues Presented

① Ronald Richards is a fellow Conspirator in the he is suppose to handle all Replies to mis conducts + Grievance's to this end if I inform MR Richards that I have not receive a ~~o~~ Reply to either a Grievance or a misconduct he should provide me with such. See: Exhibit B-8-B

he did this and other similar acts in conspiracy to have appeals to Grievance's and misconducts ~~dis~~ dismissed for failer to provide the Hearing Counsel with all need Response's.

*See motion to us court of Appeal Joseph Scalzo is also a conspirator he was Third Cir. Title up date The union Rep. at the time of this violation and on prison Position dated may still hold that position. this end he encouraged 7-11-00 # C.A. No 99-3507 the staff to band together in order to show a united front with regard to my Suing any staff member and he at every ~~opp~~ opportunity to show staff members his resolve. he denied me my diet Bag on many occasions if I did not have my Diet Card, if I had my Diet card, if I was sent, to his kitchen because they ran out of Diet bags, if the diet Bags were in his kitchen he would send me to the main kitchen, I never received Equal treatment from MR Scalzo, and The Reason was Because He was Retaliating against me for accessing the courts and reporting misconducts by staff, He conspired with staff to Harass and

Page 34

Statement of the issues Presented

hinder me at every opportunity.

"Causal link"

These overt action demonstrate a complicity to and over all attack on inmate Branch for exercising his Constitutional Rights

Administrative Segregation

Branch was notified of by my legal team to be held in cell 8-29-00 ~~in the future~~ ^{Posted to court} AA-6 2 Pg. 4
different to ~~remain~~ ^{⑥B} in the future for 45 days
as head of the D.A.C. when informed about
a Classification violation by the staff he has
a duty to protect me. That is by the conspiracy
with go Russian establish by forcing to do
anything. "Causal link" as see more was
written that I had reported go Russian for
MC branch to make a note on him
and staff, when I was held in cell 8-29-00 Branch
and staff had the added to date of 1/2/07
as I had nothing to do with it.

Administrative Segregation

Branch again about the same time the Branch
the staff members who informed of my issue
before hand and do nothing to protect me
which was their duty nor did any thing to

Page 38

Examination of Plaintiff and his witness Mr. Parker
Refused the motion of my Constitutional Rights
but allowed me to serve the 45 days in the R.H.A.
I asked him and my defense attorney to know what
was happening with the 8th amendment in the country
in the country at large and they have not told me
by what date the 8th amendment will be tested
in the country and the defense attorney said that it will be
about 2007 but the 8th amendment is still in effect
but not being used in the country to help the people
I would like you to know that I had before
the 8th amendment and when I asked the defense
attorney about the 8th amendment he said that
the 8th amendment is not violating my Constitutional Rights
but I think that the defense attorney is not qualified

Qualified
I asked him if he was qualified to do duty
with the 8th amendment and he said he was not violating
the 8th amendment and he said he was not
violating the 8th amendment and that I can't say
if he is qualified or not but I think he is not
qualified to do duty with the 8th amendment
but I think he is qualified to do duty with the 8th amendment
Qualified

Page 36

Gormans, Capt. of Artillery, New Mexico, the Banks

was Martin having been informed about the problems
I had. I do not know the last was on Top Banks and
I do not check with the medical Department about my
Bottom Banks fittings when people make other open Lower
Banks and allowing me to remain on the Top Bank
See Exhibits 44-6 August 2007 to me Martin The defend-
ants admit that Mr Martin authorized my bed move, but
it was not from a Top Bank to a Top Bank but Mr Martin
an ignoramus state the medical say even there is only
one Top Banks this should be done, they are the same
make of paper do it they say and on 100% a medical
Committee of top Banks to the medical condition of the Bank
when in Health Reality they ^{intended} to move me
by putting me on the Top Bank at the time I was \$80.40, 2
old with full knees of arthritis, my medical say Bank
Ski to mis-treat me and violated my Constitutional rights
to equal protection to the Top Banks Department from
harming me, first amendment right to report that
the medical I will be getting the Government of the
Rebels and see the courts the medical a company
with Yo Kaneko who is a co-conspirator with
lets not who before going on the table ^{Laughing with}
to KOR people and call them to come to the desk
See Exhibit (Government document) 44-6 not included I
am out of money to copy I will show it at court along with other Evidence

THE CHURCH OF CHRIST, IN THE STATE OF NEW YORK.

Mr. Black's is by far the best of the three. He
has the best taste, and the best part.

After LK left, I took a walk around the grounds to
gather some fresh hay. I had to take the car out to
get the car and I think I had to walk on the grass, but
I didn't mind it because I was getting some exercise.
I was also thinking about the fact that we had to leave
the car in the middle of the road because the
temperature was so high.

Mr. Burke. Now the counselor and I talked it over,
from the note on the Monday night, and I said I
would go up to Burke's office and get him back
there. In which my father said, "Well, I spoke with mother
and she'll be up this afternoon."

He refused to call the park "Redwood" as he thought it
a harsh name and called the Bluff of Redwood River
to suffice give a name to the Bluff or Sheep Creek and
said that the geological name of can be substituted after

Page 36

Collateral, ~~not~~ ~~gratuitous~~ as ~~merely~~ ~~an~~ ~~inference~~
without violating my ~~treasure~~ ~~or~~ ~~Rebemen~~ ~~rights~~
See ~~law~~ ~~of~~ ~~city~~, ~~Big~~ ~~Texas~~ ~~Violent~~ ~~Crimes~~ ~~Act~~ ~~§77~~
~~§77~~ ~~(1990)~~ (~~the~~ ~~law~~ ~~of~~ ~~the~~ ~~land~~) (~~not~~ ~~law~~) ~~49B~~ ~~as~~ ~~§51~~ ~~(9)~~
Mr. ~~Brink~~ ~~is~~ ~~not~~ ~~sure~~ ~~what~~ ~~is~~ ~~law~~ ~~in~~ ~~the~~ ~~land~~
but ~~he~~ ~~helps~~ ~~me~~ ~~with~~ ~~the~~ ~~Constitution~~ ~~that~~ ~~the~~
the ~~attitude~~ ~~was~~ ~~the~~ ~~same~~ ~~as~~ ~~last~~ ~~fall~~ ~~as~~ ~~that~~ ~~Brink~~
believed ~~or~~ ~~thought~~ ~~that~~ ~~they~~ ~~were~~ ~~guilty~~ ~~or~~ ~~not~~
but ~~he~~ ~~did~~ ~~not~~ ~~know~~ ~~what~~ ~~the~~ ~~law~~ ~~is~~ ~~in~~ ~~the~~ ~~land~~
but ~~Brink~~ ~~was~~ ~~direct~~ ~~about~~ ~~the~~ ~~whole~~ ~~act~~
~~Suppose~~ ~~the~~ ~~law~~ ~~is~~ ~~what~~ ~~he~~ ~~said~~
~~Suppose~~ ~~the~~ ~~law~~ ~~is~~ ~~what~~ ~~he~~ ~~said~~

Mr. Johnson I bring no charges against him. He
tried to advise me by explaining what the policy means
and how best to handle this conspiracy to fabricate
evidence against me.

He is a difficult man but also one whom I am grateful to
have.

Mr. Davis Having examined the very full ~~work~~ of
my reporting to Russian and my writing a briefance
10 days after to Russian writing his misconduct found
me guilty and sentence me to 90 days. He should have
checked the law as I argue that as Russian was
fabricating against me "evidentiary" he was not in ~~July~~
~~1999~~ ~~Rebem~~ ~~but~~ ~~not~~ ~~in~~ ~~July~~ ~~1999~~ ~~as~~ ~~he~~ ~~was~~ ~~not~~ ~~in~~ ~~July~~

1920-21

had the following P.R. been exhibited and sent to code
Mr. Fletcher was seated on the platform, May
12, 1911. Client left furnished with the license book
for exhibition to the public.

the named defendants, Knobeling and W. B. Malice
petulantly against me for exercising my Constitutional
Rights. I have served a true copy on Defendants: Ms. Mosey esq
Strawberry sq. 15 fl
Harrisburg Pa. 17120
Proof of Service
ANSWER Declaration

I William R. Branch do affirm under penalty of
The Law That The above is True.

June 1-26-24

Wolmer Books 18-314

for the High of the
University, 1827

PART 1

C/O BIKO
C/O KowarzkiCOMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA. 17001-0598

OFFICIAL INMATE GRIEVANCE

GRIEVANCE NO.

WM-13578

TO: GRIEVANCE COORDINATOR <i>Sept Coleran</i>	INSTITUTION	DATE 2-12-02
FROM: (Commitment Name & Number) <i>Wm Branch CF-3756</i>	INMATE'S SIGNATURE <i>William Branch</i>	
WORK ASSIGNMENT <i>Block Janitor</i>	QUARTERS ASSIGNMENT	

INSTRUCTIONS:

1. Refer to the inmate handbook Page 12 and DC-ADM 804 for information on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. Next, you are required to list in Block B the specific actions you have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Brief, clear statement of grievance:

2/4 on monday night c/o Bikos denied me the Right to attend Bible study at 6:12 "there is no all call for Bible study" I went into the Day Room and Played chess "about" 10 min. or so the Relif Cb called me to the Oast stated that the pastor had called and would I like to attend. (your staff his lied to capt Griffen) he then wrote me a Pass (which is what c/o Bikos should have done) Based upon the YUSCA 2000 cc-5. Definitions (7) A Page 2538 No Rules that deny Religious exercise are to be established. I asked they talked the matter over on the Block, now in a fit of Rage they Sgt Schaefer and c/o Bikos came stoming into the church and Rudely shacked my Pass out of my Pocket ordered me Back to the Block at which time C/o Kowarzki was in place to add is flavor of

B. Actions taken and staff you have contacted before submitting this grievance: quoted card entry and ask him what he is doing over there and safety and security inspections laughing and congratulating and trying to provoke me in order to write me up. this 2 shift is out of control! Respectfully

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Grievance Coordinator

Date

PART II

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF CORRECTIONS
 P.O. BOX 256
 WAYMART, PA 18472

OFFICIAL INMATE GRIEVANCE
 INITIAL REVIEW RESPONSE

GRIEVANCE NO.

WAM-13578

TO: (Name & DC NO.) Branch, William CF-3756	INSTITUTION S.C.I. WAYMART	QUARTERS F-2	GRIEVANCE DATE February 6, 2002
--	-------------------------------	-----------------	------------------------------------

I spoke to Officer Biko and Sgt. Schariest about your complaint. Officer Biko informed me that when Bible Study was called, you did not report to the desk for your pass in the proper amount of time. Bible Study was called out approximately 15 minutes prior to your request.

As you know, the policy on Passes states that you may go up to 10 minutes past your appointment time. You failed to do so and as such were denied. You at that time were told by Officer Biko that you would not be allowed to attend.

After that time, Officer Karwowski relieved Officer Biko for lunch. While it is true that the Pastor called, the reason for calling you was to verify that you were on the block. He then had the officer ask if you wanted to attend services.

You are correct that conversations ensued between Officer Karwowski and Officer Biko about your whereabouts. This is what the officers do; they pass along information of events that occurred while being relieved. During those conversations, Officer Biko asked if you told Officer Karwowski that you were denied the opportunity to go to Bible Study because of your time. When it was determined that you had not, and in fact had taken another 10-15 minutes to leave, it was decided to speak to Sgt. Schariest.

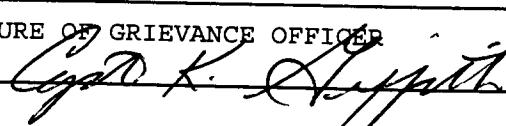
Officer Biko and Sgt. Schariest then went to the auditorium and spoke to the Pastor. He was unaware that you had been denied and was under the impression that he had to ask the officer to send you down if indeed you were on the block. When he was told the policy regarding Passes and the fact that the only reason he is to call is to verify your presence on the unit, he told Sgt. Schariest to return you to the block.

Contrary to your beliefs, that was not retaliation of any kind. I was not aware and I am not sure if the officers are aware of your complaints to OPR.

In this instance, the officers in question performed their duties as they should have been performed. I was on duty both the day of the complaint and the day after, and received no complaints from you. A review of my Lieutenants also revealed no complaints from you. As you are aware, you are to attempt to resolve any grievances prior to filing them. In this instance, you did not. In the future, please adhere to policy.

c: Ron Richards
 File

C:\WINNT\Profiles\mpavlovich\Personal\2nd\Griev.BRANCH. 2.6.02.doc

Refer to DC-ADM 804, Section VI for instructions on grievance	SIGNATURE OF GRIEVANCE OFFICER 	DATE 2/11/02
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DC-804

PART 1

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF CORRECTIONS
 P.O. BOX 598
 CAMP HILL, PA. 17001-0598

OFFICIAL INMATE GRIEVANCE

GRIEVANCE NO.

WAK 13578

TO: GRIEVANCE COORDINATOR <i>Super Collier</i>	INSTITUTION	DATE 2-6-00
FROM: (Commitment Name & Number) <i>WM Branch F-3756</i>	INMATE'S SIGNATURE <i>William Branch</i>	
WORK ASSIGNMENT <i>Block Janitor</i>	QUARTERS ASSIGNMENT <i>F-2</i>	

INSTRUCTIONS:

1. Refer to the inmate handbook Page 12 and DC-ADM 804 for information on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. Next, you are required to list in Block B the specific actions you have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Brief, clear statement of grievance:

2/4 on Monday night C/S Bikos denied me the Right to go to Bible Study. I went in the Day Room Playing chess 10 mins later the Pastor called for me, the Relief C/S called me to the Desk and asked if I wanted to go I said yes he wrote me a Pass and I went 10 or 15 mins later Sgt Schariest and C/S Bikos came to the chuch went in the Pastors office called me in C/S Bikos shackled the Pass out of my Pocket ordered me back to the Block. Where C/S Kowarski and C/S Bikos laughed and harassed me and made a quoter card entry question every move I made, also heard that before they get me they talk themselves into a frenzy "I told him he could not go" these C/S tried to provoke me so they could write me up I see this as Retaliation for my Reporting Misconduct by staff to the O.P.R. in O'Hare. Respectfully

B. Actions taken and staff you have contacted before submitting this grievance:

into a frenzy "I told him he could not go" these C/S tried to provoke me so they could write me up I see this as Retaliation for my Reporting Misconduct by staff to the O.P.R. in O'Hare. Respectfully

Your grievance has been received and will be processed in accordance with DC-ADM 804

action: taken I wrote you a Response on 2/5/00

Signature of Grievance Coordinator

Date

Mr Branch

I can only say that on 2-4-02 Monday night I was in line behind you to get a pass for Bible study and I observed him tell you you were to late to go to Bible study. That we needed to be at desk 5min before the time stated. It was about 6:12 when we were at the desk. Seeing how the officer dealt with you in the situation I refrained from asking him anything.

02/28/02

Warren C Meyer
EG5427

Lt Wellington

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

Sgt Heller R HU

2. DATE

7-2-02

3. BY: (INSTITUTIONAL NAME AND NUMBER)

William Branch CF 3756

4. COUNSELOR'S NAME

Mr McCormall

5. WORK ASSIGNMENT

Unassigned

6. QUARTERS ASSIGNMENT

R HU 1011

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

Sir I would like to get my Religious material and my Legal material, I also need my Knee Braces they are medically prescribed I also need a larger Comb and hair Grease to maintain my Religious Hair as I am in court about this now which means your Policy can not be forced on me until the Courts make a decision I am a Naysayer

Respectfully
 First of all this yellow Request is for Law Library only. You have a request in for The Property Room - I told you Tuesday you will be taken to

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

The Property. You HAVE TO sign up for sick call to get ANY Knee BRACES in The RHU. A LARGER Comb & HAIR grease is denied. They ARE NOT ALLOWED in The RHU AS per Policy.

Sgt Heller

LAW LIBRARY

 TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

MS marker

DC-135A <i>AA-1</i>		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS <i>Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.</i>	
1. TO: (NAME AND TITLE OF OFFICER) <i>Mr Chippas Unit Manager</i>		2. DATE <i>10-8-02</i>	
3. BY: (INSTITUTIONAL NAME AND NUMBER) <i>William Branch CF3756</i>		4. COUNSELOR'S NAME <i>Mr McDonald</i>	
5. WORK ASSIGNMENT <i>unassign</i>		6. QUARTERS ASSIGNMENT <i>C-1</i>	
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS. <i>Sir I am a non-smoker and I am housed with smokers. I was in a room by myself on a top bunk. Your staff moved me out of that room & informed the C/O that I do not smoke. But he knowing placed me in the dorm and move two inmates both smokers in after me. This puts my health at</i>			
8. DISPOSITION: (DO NOT WRITE IN THIS SPACE) <i>direct risk and is actionable under Title 42 USC. § 1983 your staff knows this already. Therefore this is malicious hatred and because I am Black it's Racism.</i>			
<input type="checkbox"/> TO DC-14 CAR ONLY		<input type="checkbox"/> TO DC-14 CAR AND DC-15 IRS	
STAFF MEMBER		DATE	

I Did not send ms mosley a copy
Run out of money

G 14 59

Date

PASS SLIP		
No <u>C 14 3756</u>	Name: <u>Janice AKA Walker</u>	
Block: <u>M 2</u>	Assgn: <u>#1</u>	
Destination: <u>M 2</u>		
ISSUING AUTHORITY	SIGNATURE: <u>Skinner</u>	TIME: <u>1806</u>
DESTINATION AUTHORITY	SIGNATURE: <u></u>	TIME: <u></u>
RETURN AUTHORITY	SIGNATURE: <u></u>	TIME: <u></u>

INMATE MUST TURN IN PASS IMMEDIATELY UPON
COMPLETION OF PURPOSE FOR PASS

My Name is not AKA Walker
Mr. Walkers name being attached to mine
is a Bad Connotation by this staff member
Skinner a Kitchen Stewrt

MS Surface

FORM DC-141 PART II C
Rev. 6-84 HEARING SUPPLEMENT
INMATE VERSION AND WITNESS STATEMENTSCOMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

DC Number CF 3756	Name BRANCH, W	Institution SCI WMM	No. from PART I 990495
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INMATE'S VERSION

Dear Sir,

On or about the 18th of September Mr. (Officer) Obelinus informed me that I was laid off from work until further notice from Mr. Crabb.

It is entered in the Officer's Log Book on M-2.

Also I have a court order that is due 10-6-97. That is why I was at the Law Library. Also I spoke with Mr. Friedman about going to the Law Library he told me to speak with my supervisor and I did. She stated okay but I would not be paid for the time I was out.

William Branch

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

:
:
:
:
:
:

WILLIAM BRANCH

No. 96-7498

VS.

C.A.

No. 95-cv-00751

TONY FABRICATORE, et, al.

MOTION TO ORDER
INJUNCTION AND TO ADD DEFENDANTS
TO MY 1983 CLAIM

If it Please the Court, here comes WILLIAM BRANCH asking the court to enter an Order to add a defendant, Carol Surace(foreman at my job), to my 1983

claim for harassment and retaliation for me accessing the courts and a injunction for relief from a misconduct for going to the law library to do my brief; also, if I am in the RHU or on cell restriction, remove all sanctions and to pay me for any lost time from work.

Gittlemack v. Prasse 428 F2d 1 (3rd cir 1970)

[11-13] Access to court is a guaranteed right of due process per the fourteenth amendment. Reasonable regulations which limit the time and places and manner in which inmates may engage in legal research do not transgress this constitutional protection so long as the regulations do not frustrate this access to court.

Smith v. Rowe No. 77-1089 (7th cir Aug.11,1978)

1 PLM 83 Prisoner restored to library job and case remanded to district court

Form DC-135A

Commonwealth of Pennsylvania
Department of Corrections

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

Chaplain Gagas

3. By: (Print Inmate Name and Number)

WM Branch CF-3756

William Branch
Inmate Signature

6. Work Assignment

Garment Plant

8. Subject: State your request completely but briefly. Give details.

2. Date:

1-07-04

4. Counselor's Name

Mr. McDowell

5. Unit Manager's Name

Mr. Jones

7. Housing Assignment

F-2

Parker Please put me on call

out for choir also I would like to
speak with the Board at their next meeting
i subject minister of music and
church in general thank you

9. Response: (This Section for Staff Response Only)

Mr. Branch,

I appreciate your interest but right now I am not seeking a minister of music.
You are welcome to participate in choir.

To DC-14 CAR only To DC-14 CAR and DC-15 IRS

Staff Member Name

Rev. William Gagas

Print

R. W. M.

Sign

Date 1-9-04

01/23/2004

Date: 01/25/2004

11:47:00

Arrive	Depart	Location	Appointment	Inmt #	Name	Bg - Sc	Cell	Work Assignment
12:45		GYM BASEMENT	ART-SUNDAY	FA0157	ORTIZ, EDWIN	F - 1	-1005	GARAGE
12:45		GYM BASEMENT	ART-SUNDAY	FA1958	SANTIAGO, ALMONTE	F - 2	-1004	GARMENT PLANT
12:45		GYM BASEMENT	ART-SUNDAY	FA3561	RICHARDSON, TROY	F - 1	-1010	B.U. F-1
12:45		GYM BASEMENT	ART-SUNDAY	FC2090	RIVERA, PEDRO	E - 1	-1004	KITCHEN
12:45		GYM BASEMENT	ART-SUNDAY	FE6483	LOPEZ, JORGE	M - 2	-1015	M-2 JANITOR
12:45		GYM BASEMENT	ART-SUNDAY	FE9585	STONE, MAURICE LYNN	B - 2	-1016	GARMENT PLANT
12:45		GYM BASEMENT	ART-SUNDAY	FG1194	ALEXANDER, DELBERT	J - 1	-1004	TC STUDENT J-1
12:45		GYM BASEMENT	ART-SUNDAY	FH3197	NEWMAN, RYAN K	M - 1	-1001	KITCHEN
12:45		GYM BASEMENT	ART-SUNDAY	FH6998	MATIAS, CARMELO	M - 1	-1007	B.U. M-1
12:45		GYM BASEMENT	ART-SUNDAY	FJ7773	LIPS, MICHAEL D	J - 2	-1005	TC STUDENT J-2
12:45		GYM BASEMENT	ART-SUNDAY	FL5326	RODRIGUEZ, GREGORY	E - 1	-1006	U.G. #1-2
12:45		GYM BASEMENT	ART-SUNDAY	FP7135	VANRANIZAN, ANDREW	L - 2	-1017	GARMENT PLANT
37 Inmate(s)								
14:15	:	AUDITORIUM	CHOIR	BY6393	DELACRUZ, PEDRO JULIO	F - 2	-1005	REFRIGERATION
14:15	:	AUDITORIUM	CHOIR	CY5764	SERRANO, EFRAIN RIVERA	N - 1	-2010	UNASSIGNED
14:15	:	AUDITORIUM	CHOIR	DA1592	GRONINGER, MICHAEL	B - 2	-1007	KITCHEN SPECIAL
14:15	:	AUDITORIUM	CHOIR	DC1123	MONN, EUGENE R	B - 2	-1003	LAUNDRY
14:15	:	AUDITORIUM	CHOIR	DK5741	DAVIS, JOHNNY M	M - 2	-1006	GARMENT PLANT
14:15	:	AUDITORIUM	CHOIR	DL4921	MACKIE, ANTHONY	F - 2	-1007	GARMENT PLANT
14:15	:	AUDITORIUM	CHOIR	DM9082	AYERS, WELDON GENE	F - 2	-1005	TEACHER AIDE AI
14:15	:	AUDITORIUM	CHOIR	DP2224	MOLINA, RAFAEL ANTONIO	M - 1	-1002	GARMENT PLANT
14:15	:	AUDITORIUM	CHOIR	DQ6614	SMALL, ROBERT	E - 1	-1010	PAINTING
14:15	:	AUDITORIUM	CHOIR	EK7021	EVANS, MICHAEL K	N - 1	-1012	UNASSIGNED
14:15	:	AUDITORIUM	CHOIR	EL7734	PROCTOR, JOHN K	E - 2	-1003	BARBER SPECIAL
14:15	:	AUDITORIUM	CHOIR	EN0586	WHITE, RICHARD J	L - 2	-1010	MUSIC RM JAN
14:15	:	AUDITORIUM	CHOIR	EQ0745	LOPUS, DAVID MICHAEL	D - 2	-1001	GARMENT PLANT
14:15	:	AUDITORIUM	CHOIR	EQ8433	EHRET, WALTER C	B - 1	-1004	KITCHEN
14:15	:	AUDITORIUM	CHOIR	ET4777	GARBER, JEFFREY TODD	E - 1	-1006	CRAFTS
14:15	:	AUDITORIUM	CHOIR	EU0082	VAREEN, DARRYL	B - 2	-1014	GARMENT PLANT
14:15	:	AUDITORIUM	CHOIR	EV9983	LEWIS, THOMAS	B - 1	-1009	B-1 JANITOR
14:15	:	AUDITORIUM	CHOIR	EZ5424	ALICEA, SAMUEL ELI	M - 1	-1010	ELECTRONICS #3
14:15	:	AUDITORIUM	CHOIR	FB2064	WESLEY, LARRY G	L - 1	-1013	B.U. L-1
14:15	:	AUDITORIUM	CHOIR	FE6234	WOLFE, BRADLEY	L - 1	-1003	LIBRARY
14:15	:	AUDITORIUM	CHOIR	FG8047	RAWSON, WILLIAM O	C - 1	-1024	C-1 JANITOR
14:15	:	AUDITORIUM	CHOIR	FH6910	OLIPHANT, KEITH LANIER	K - 2	-1002	SOTC PROGRAM
14:15	:	AUDITORIUM	CHOIR	FM1750	WILSON, JAMES	C - 1	-1015	B.U. C-1
14:15		AUDITORIUM	PROT.CHURCH COMMITTEE	BY6393	DELACRUZ, PEDRO JULIO	F - 2	-1005	REFRIGERATION
14:15		AUDITORIUM	PROT.CHURCH COMMITTEE	CC6536	HENRY, WALTER F	L - 2	-1016	GARMENT PLANT
14:15		AUDITORIUM	PROT.CHURCH COMMITTEE	DB0664	PEREZ, ANTONIO	M - 1	-1009	GARMENT PLANT
14:15		AUDITORIUM	PROT.CHURCH COMMITTEE	DM9082	AYERS, WELDON GENE	F - 2	-1005	TEACHER AIDE AI
14:15		AUDITORIUM	PROT.CHURCH COMMITTEE	DS7983	GRIFFIN, BRYNN	F - 2	-1001	GYM
14:15		AUDITORIUM	PROT.CHURCH COMMITTEE	EN1484	SIMONS, RUSSELL	B - 2	-1015	KITCHEN SPECIAL
14:15		AUDITORIUM	PROT.CHURCH COMMITTEE	EQ0745	LOPUS, DAVID MICHAEL	D - 2	-1001	GARMENT PLANT
14:15		AUDITORIUM	PROT.CHURCH COMMITTEE	EV7842	LOCKER, WALTER	D - 1	-1005	B.U. D-1
14:15	:	AUDITORIUM	USHERS	CJ3134	BURNSIDE, CALVIN	M - 2	-1015	KITCHEN SPECIAL
14:15	:	AUDITORIUM	USHERS	DG0896	GLOVER, JOHN	20-2	-1002	WAREHOUSE
14:15	:	AUDITORIUM	USHERS	DP2224	MOLINA, RAFAEL ANTONIO	M - 1	-1002	GARMENT PLANT
14:15	:	AUDITORIUM	USHERS	DW6838	MOLETTE, CHARLES	B - 2	-1006	CARPENTER #2

01/20/2004

Call List

11:09:52

7 Inmate(s)

14:45	:	AUDITORIUM	CHOIR	BY6393	DELACRUZ, PEDRO JULIO	F	-2	-1005	REFRIGERATION
14:45	:	AUDITORIUM	CHOIR	CY5764	SERRANO, EFRAIN RIVERA	N	-1	-2010	UNASSIGNED
14:45	:	AUDITORIUM	CHOIR	DA1592	GRONINGER, MICHAEL	B	-2	-1007	KITCHEN SPECIAL
14:45	:	AUDITORIUM	CHOIR	DC1123	MONN, EUGENE R	B	-2	-1003	LAUNDRY
14:45	:	AUDITORIUM	CHOIR	DK5741	DAVIS, JOHN	M	-2	-1006	GARMENT PLANT
14:45	:	AUDITORIUM	CHOIR	DL4921	MACKIE, ANTHONY	F	-2	-1007	GARMENT PLANT
14:45	:	AUDITORIUM	CHOIR	DM9082	AYERS, WELDON GENE	F	-2	-1005	TEACHER AIDE AI
14:45	:	AUDITORIUM	CHOIR	DP2224	MOLINA, RAFAEL ANTONIO	M	-1	-1002	GARMENT PLANT
14:45	:	AUDITORIUM	CHOIR	DQ6614	SMALL, ROBERT	E	-1	-1010	PAINTING
14:45	:	AUDITORIUM	CHOIR	EK7021	EVANS, MICHAEL K	N	-1	-1012	UNASSIGNED
14:45	:	AUDITORIUM	CHOIR	EL7734	PROCTOR, JOHN K	E	-2	-1003	BARBER SPECIAL
14:45	:	AUDITORIUM	CHOIR	EN0586	WHITE, RICHARD J	N	-1	-1019	UNASSIGNED
14:45	:	AUDITORIUM	CHOIR	EQ0745	LOPUS, DAVID MICHAEL	D	-2	-1001	GARMENT PLANT
14:45	:	AUDITORIUM	CHOIR	EQ8433	EHRET, WALTER C	B	-1	-1004	KITCHEN
14:45	:	AUDITORIUM	CHOIR	ET4777	GARBER, JEFFREY TODD	E	-1	-1006	CRAFTS
14:45	:	AUDITORIUM	CHOIR	EU0082	VAREEN, DARRYL	B	-2	-1014	GARMENT PLANT
14:45	:	AUDITORIUM	CHOIR	EV9983	LEWIS, THOMAS	B	-1	-1009	B-1 JANITOR
14:45	:	AUDITORIUM	CHOIR	EZ5424	ALICEA, SAMUEL ELI	M	-1	-1010	ELECTRONICS #3
14:45	:	AUDITORIUM	CHOIR	FB2064	WESLEY, LARRY G	L	-1	-1013	B.U. L-1
14:45	:	AUDITORIUM	CHOIR	FE6234	WOLFE, BRADLEY	L	-1	-1003	LIBRARY
14:45	:	AUDITORIUM	CHOIR	FG8047	RAWSON, WILLIAM O	C	-1	-1024	C-1 JANITOR
14:45	:	AUDITORIUM	CHOIR	FM1750	WILSON, JAMES	C	-1	-1015	B.U. C-1
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	BP9120	MILLER, ALVIN R	L	-1	-1009	KITCHEN
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	CA4091	ROSE, HAROLD E	F	-1	-1002	COMMISSARY
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	CP0892	CALLWITTS, RICHARD	L	-2	-1015	GARMENT PLANT
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	CQ5102	MCKINNEY, HAROLD	E	-1	-1007	GARMENT PLANT
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	DF4644	ARNER, BLAINE ALAN	E	-2	-1001	ELECTRIC #3
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	DG3211	SCOTT, JOHN DENNIS SR	D	-2	-1006	GARMENT PLANT
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	DM1264	WALKER, RONALD JAMES	F	-1	-1006	GARMENT PLANT
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	DZ6688	BROCK, KEVIN	F	-1	-1011	B.U. F-1
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	EG9784	LANTZ, KENNETH L	D	-2	-1005	UNASSIGNED
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	EM4668	CHURCHILL, KENNETH L	B	-2	-1008	PAINTING #3
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	EQ0370	FOX, ALFRED OWEN	D	-1	-1001	PAINTING
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	EQ0604	WILSON, ALLEN E	F	-1	-1006	B.U. F-1
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	ES7489	WEST, DONALD KEITH	F	-1	-1006	U.G. #1-2 P.M.
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	FC1987	WARREN, GERALD	B	-1	-1008	PLUMBING #1
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	FE8160	KING, SHAWN M	J	-2	-1002	TC STUDENT J-2
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	FF4107	KENNEDY, PAUL EDWARD		20-2	-1006	POWERHOUSE
14:45		AUDITORIUM/C-BASEME	NATIVE AMERICAN	FK9293	RAUB, GLEN MERLIN	J	-2	-1009	TC STUDENT J-2
14:45		GYM BASEMENT	40 + WTLIFT.-WED	AM1653	HARTZELL, JAMES	L	-1	-1012	CARPENTER #2
14:45		GYM BASEMENT	40 + WTLIFT.-WED	AP7657	SHAWLEY, GEORGE	D	-1	-1004	U.G. #3
14:45		GYM BASEMENT	40 + WTLIFT.-WED	AS0135	SPICER, RONALD	B	-1	-1009	KITCHEN SPECIAL
14:45		GYM BASEMENT	40 + WTLIFT.-WED	BC7217	MILLER, ALVIN	E	-1	-1004	KITCHEN
14:45		GYM BASEMENT	40 + WTLIFT.-WED	BD7834	SACCO, ANGELO	D	-1	-1005	KITCHEN
14:45		GYM BASEMENT	40 + WTLIFT.-WED	BQ3338	DIGGS, WILLIAM	L	-2	-1002	KITCHEN SPECIAL
14:45		GYM BASEMENT	40 + WTLIFT.-WED	BT1962	████████████████████	M	-2	-1005	SL5 JANITOR
14:45		GYM BASEMENT	40 + WTLIFT.-WED	BZ6909	ANDERSON, THOMAS	A	-1	-1012	KITCHEN SPECIAL
14:45		GYM BASEMENT	40 + WTLIFT.-WED	CB6061	FIGUEROA, ALEJANDRO	E	-1	-1008	KITCHEN SPECIAL
14:45		GYM BASEMENT	40 + WTLIFT.-WED	CF7057	████████████████████	M	-2	-1015	GARMENT PLANT
14:45		GYM BASEMENT	40 + WTLIFT.-WED	CF7057	FLEMING, RANDY	E	-2	-1009	KITCHEN SPECIAL

Exhibit A
Case 1:00-cv-01728-CCC Document 145 Filed 02/03/2004 Page 55 of 92
MS. SUCHY

FORM DC-141 PART I COMMONWEALTH OF PENNSYLVANIA

Rev. 6-84

MISCONDUCT REPORT OTHER DEPARTMENT OF CORRECTIONS

A 191014

DC Number	Name	Institution	Incident Time 24 Hr. Base	Incident Date	Date of Report
Quarters	Place of Incident				

OTHER INMATES OR STAFF INVOLVED OR WITNESSES (CHECK I OR W)

DC Number	Name	I	W	DC Number	Name	I	W
Quarters	Place of Incident						
Quarters	Place of Incident						
Quarters	Place of Incident						

MISCONDUCT CHARGE OR OTHER ACTION

CLASS I CATEGORY B #7 Refusing to obey an order
CLASS I CATEGORY C #26 Lying to an employee

STAFF MEMBER'S VERSION

ON THE ABOVE DATE AND TIME INMATE BRANCH OF 3756 LIEUT. TOLD REPORTING STAFF MEMBER AFTER HE WAS GIVEN AN ORDER TO TAKE OUT THE GARBAGE IN THE STAFF DINING ROOM. BRANCH DIDN'T TAKE THE GARBAGE OUT. HE TOLD INMATE INSTEAD THAT I TOLD HIM TO DO IT. INMATE INSTEAD TOOK THE PACKAGE OUT AND LATER TOLD ME BRANCH TOLD HIM AND SAID (MS. SUCHY) TO DO IT. INMATE BRANCH DELIBERATELY REFUSED AN ORDER AND THEN LIES ABOUT IT.

IMMEDIATE ACTION TAKEN AND REASON

INMATE BRANCH IS TO BE HELD IN PRE-HEARING CONFINEMENT.

PRE-HEARING CONFINEMENT

IF YES			
<input type="checkbox"/> YES	TIME	DATE	
<input type="checkbox"/> NO			

REQUEST FOR WITNESSES AND REPRESENTATION

FORMS GIVEN TO INMATE INMATE'S VERSION

REPORTING STAFF MEMBER SIGNATURE AND TITLE T. L. S. SUCHY	ACTION REVIEWED AND APPROVED BY RANKING C.O. ON DUTY T. L. S. SUCHY	SIGNATURE AND TITLE T. L. S. SUCHY	DATE AND TIME INMATE GIVEN COPY DATE 2/5/00	TIME 24 HOUR BASE 2020
YOUR HEARING MAY BE SCHEDULED ANY TIME AFTER DATE 2-6-00	TIME 10:00	Misconduct Category <input checked="" type="checkbox"/> CLASS 1 <input type="checkbox"/> CLASS 2	Signature of Person Serving Notice T. L. S. SUCHY	

NOTICE TO INMATE

You are scheduled for a hearing on this allegation on the date and the time indicated or as soon thereafter as possible. You may remain silent, if you wish. Anything you say will be used against you both at the misconduct hearing and in a court of law if this matter is referred for criminal prosecution. If you choose to remain silent, the hearing committee/examiner may use your silence as evidence against you. If you indicate that you wish to remain silent, you will be asked no further questions. If you are found guilty of a Class 1 misconduct, any pre-release status you have will be revoked.

To Whom it may concern, On 2/8/00 I didn't show up at Branch's hearing or did I sign his affidavit, due to the fact that I wanted to remain neutral. It is my understanding that Mr. Dickey did tell Branch to take out the garbage and take back the pastry racks.

I did not know that Mr. Dickey had told Branch to do it. Branch came to the rear of the dining room where I was at, he then stated to me what needed to be done. He ask me if I wanted to stay and clear the tables, or take garbage out along with returning pastry racks to main kitchen.

I choose to do it after Branch gave me an option to chose. This affidavit is true and correct.

last, but not least - I don't take orders from any inmate

2/10/00 D. Mason CD-8108

(Thank you for your time and consideration)

Part II

C/o RUSSIAN

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF CORRECTIONS
 P.O. BOX 598
 CAMP HILL, PA 17011

OFFICIAL INMATE GRIEVANCE

INITIAL REVIEW RESPONSE

GRIEVANCE NO

WAM-0232-00

TO: (Name & DOC No.)	INSTITUTION:	QUARTERS:	GRIEVANCE DATE:
BRANCH, William CF-3756	SCI-WAYMART		8/3/00

The following is a summary of my findings regarding your grievance:

The structural integrity of your cabinet cannot be tested without opening the cabinet door. This cannot be done when it is locked.

You were told that your protesting about Mr. Russian looking into your cabinet was far in excess of what is considered "normal" and gave the impression that you were hiding something. This caused an investigation inspection.

Mr. Russian's conduct was appropriate.

cc: Superintendent Colleran
 Officer Russian
 File

Refer to DC-ADM 804, Section VIII,
 For instructions on grievance
 System appeal procedures.

Milton Freedman
 SIGNATURE OF GRIEVANCE OFFICER

8/17/00

DATE

Page 2

D. Investigative Cell Search

Investigative cell searches require a reasonable suspicion the inmate is concealing contraband or involved in other activity, which potentially threatens the security of the facility. Investigative searches require the prior approval of the Shift Commander, Security Office Supervisor, or higher-ranking authority. The inmate may be present during an investigative search except as provided by Section VI, B, 2.

E. K-9 Inspection

The use of a narcotics detection K-9 to scan a cell for narcotics may be done without the presence of the assigned inmate. The K-9 scans the air to detect the possible presence of narcotics (this is not an actual search). If contraband is suspected, the proper procedure for a cell search should be followed.

F. Security Cell Inspection

A security inspection is to be conducted by facility personnel for health, safety, and security reasons. A security inspection is for the observation and physical testing of the structural components of the cell, such as doors, windows, bars, electrical fixtures, and plumbing. Inmate personal property will not be searched or disturbed during a security inspection except to the extent necessary to gain access to the structural components of the cell. Presence of the inmate occupant(s) is not required during a security inspection.

G. Searches of Inmate's Person

All inmates are subject to search at any time. Staff personnel of either sex may conduct pat searches in any area of the facility. They will be conducted in a professional manner with tact and proper attitude displayed.

1. Pat Search

All inmates are required to comply with the following procedures when being pat searched:

- a. the removal of all items from pockets and placing them in a hat or on a shelf, desk, or other suitable place;
- b. standing still with his/her feet apart and arms extended outward, palms upward; and
- c. following the verbal direction given by the staff member conducting the search.

2. Strip Search

- a. A strip search shall be conducted when necessary for the security and good order of the facility, including the following situations:
 - (1) before and after every contact visit;
 - (2) upon an inmate's return from outside activities, supervised outside leave and furloughs;

Exhibit A A 6

DC-13 A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

C/O S Name is Ruskin

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)	2. DATE
Mr Collehan Sept.	7-15-00
3. BY: (INSTITUTIONAL NAME AND NUMBER)	4. COUNSELOR'S NAME
W M Branch CF-3756	M Zon G
5. WORK ASSIGNMENT	6. QUARTERS ASSIGNMENT
unassign	M-2
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.	

dir: I wish to inform you of a C/O acting in "Retaliation" for me being telling him and Reporting him to the Shift commandor Cpt. Griffin on 7-14-00 C/O Ruskin has been using Softy security inspections to Retaliate against any inmate who he gets angry with. first he in Bage's then in a conversation which he use's to speak demeanoring to them and when they respond a goes into I'll Show you mode, next that inmate is being "searched" his property all over the place inmate Chapman had spoken to me long and asked him to have C/O Ruskin leave him alone.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

I pointed out to C/O Ruskin That DC ADM 203 That a Security inspection is for structural observation and testing not personal property and that a inmate need not be present, he acted as if I was Reading this procedure in correctly so I spoke with Capt. Griffin he told me C/O Ruskin Knew that he was using this procedure incorrectly.

When I informed C/O Ruskin that Cpt Griffin had told me he knew he was improperly Requiring inmate's to return to their area and to open their locks upon his direct orders this happen to me on 7-19-00 on 7-14-00 I was Random Cell Seachched (I want to point out we are housed in a dormitory. TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

Page 1

DATE

DC-135A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER) <i>Mr. Collieran Supt</i>	2. DATE <i>7-15-00</i>
3. BY: (INSTITUTIONAL NAME AND NUMBER) <i>Wm Branch CF 3756</i>	4. COUNSELOR'S NAME <i>Mr. Zorb</i>
5. WORK ASSIGNMENT <i>unassigned</i>	6. QUARTERS ASSIGNMENT <i>M-2</i>
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS. <i>and as the C/O comes to the Bed area the windows and electric fixture's are to be checked C/O Rushen is under Mattress and in the Cabinets and as stated before calling inmates to their area's to open locks and he later yell's over the entire dorm what is in this inmates property and where it is in their Cabinet in my case C/O Rushen Knows I am involved in a law suit against the Parole Board Mr. Friedman and the Rec. Horn et.al, and that I have a motion in for injuctive brief Relief ("I told him") yet he still went on to Retaliate against me.</i>	

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

*U.S. Court of appeals
Third circuit* TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

Page 2

DATE

S-804
ART 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA. 17001-0598

This was Not answered

OFFICIAL INMATE GRIEVANCE

GRIEVANCE NO.

TO: GRIEVANCE COORDINATOR MRCOLLEEN SUPT.	INSTITUTION S.C.I. WAYMART	DATE 6-20-00
FROM: (Commitment Name & Number) WILLIAM BRANCH CF-375	INMATE'S SIGNATURE	
WORK ASSIGNMENT unassigned	QUARTERS ASSIGNMENT M-2	

INSTRUCTIONS:

1. Refer to the inmate handbook Page 12 and DC-ADM 804 for information on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. Next, you are required to list in Block B the specific actions you have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Brief, clear statement of grievance:

C/O RUSHEN HAS RETALIATED AGAINST FOR:**1. TELLING HIM THAT HE WAS NOT USING THE SECURITY INSPECTION AS IT WAS****INTENDED. [as outline in DCC. ADM. 203 of inmate handbook]****2. FOR SPEAKING WITH CAPT. GRIFFIN TO FIND OUT IF HE KNEW THAT WHAT HE**
WAS DOING WAS WRONG.**C/O RUSHEN SAID HE WAS DOING A SECURITY INSPECTION I WAS ON MY BED RESTARTED****AT MR. BLOW'S BED I WENT TO THE BATHROOM UPON MY RETURN C/O RUSHEN CAME BACK****AND ORDERED ME TO OPEN MY LOCK [this ^{Policy states} procedure states that the inmate does not****have to be there for the c/o to accomplish the inspection]; OPENED THE LOCK****PER HIS ORDER. THIS WAS THE SECOND TIME O/O RUSHEN HAS ORDERED ME TO OPEN****MY LOCK FOR HIS INSPECTION. THIS TIME I ASKED CAPT. GRIFFIN IF HE UNDER****-STOOD THAT THIS INSPECTION WAS NOT A SEARCH, I TOLD C/O RUSHEN WHAT THE CAPT.**

B. Actions taken and staff you have contacted before submitting this grievance:

SAID. THE NEXT DAY 7-18-00 I WAS SEARCHED THEY LEFT MY PROPERTY A MESH.**FOR A MORE DETAIL STATEMENT see: DC-135A PREVIOUSLY SUBMITTED TO YOU****C/O RUSHEN IS A VINDICTIVE IRRATIONAL PERSON HIS ACTIONS ^{FORMS} FROM THE BASES OF**
OFFICIAL OPPRESSION WHICH IS A CRIMINAL OFFENCE He violated my

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Constitutional Rights**William Branch CF-3756**

Signature of Grievance Coordinator

7-20-00

Date

Page 4

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF CORRECTIONS
 P.O. BOX 598
 CAMP HILL, PA. 17001-0598

OFFICIAL INMATE GRIEVANCE

GRIEVANCE NO.

Wam-0232-00

TO: GRIEVANCE COORDINATOR MR Coleran Sept	INSTITUTION Sci Waymat	DATE 8-3-00
FROM: (Commitment Name & Number) Wm Branch CF3756	INMATE'S SIGNATURE William Branch	
WORK ASSIGNMENT	QUARTERS ASSIGNMENT RHU	

INSTRUCTIONS:

1. Refer to the inmate handbook Page 12 and DC-ADM 804 for information on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. Next, you are required to list in Block B the specific actions you have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Brief, clear statement of grievance:

Page 3 I was suppose to hear from him I never did, I wrote a grievance on the next day Based on the fact that he informed me that he authorized the the cell search when the inspection was Friday at or about 8:00 and the search happen on Saturday, at what point did mr fredman okay this at home? His Reason is I did not open my lock and I acted suspicious suspicious and protested. I did open the lock, I have a right to speak up and he was violating the Policy. the day after I sent in the grievance mr fredman passed me

B. Actions taken and staff you have contacted before submitting this grievance:

In the Hall he stated "Okay Tiger" and keep walking 10 days later and still no reply on my Request or my grievance

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Grievance Coordinator

Page 5

Date

Mr Walsh

not sent to ms Mosley No/money on copy card

DC-135A

~~Printed 2/14/02~~
Page 4COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

Mr. Collechino Law Librarian

2. DATE

2-17-02

3. BY: (INSTITUTIONAL NAME AND NUMBER)

William Branch ~~CF~~ CF 37564. COUNSELOR'S NAME
Mr. McDonnell

5. WORK ASSIGNMENT

Block Janitor

6. QUARTERS ASSIGNMENT

F-2

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

Please Put me on call out

for Law Library during the week

of 2-17-02

8:10 + 12:45 Wednesday

↓ Thursday

↓ Friday

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

Why 2x2 DO you have anew court deadline?No Law Library Time
Give at all TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

M/20/2010 DATE

~~Exhibit B-8-B~~

DC-135A

Post to court
only

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

Mr. Jim Richard Assistant to the Supt 10/25/02

2. DATE

3. BY: (INSTITUTIONAL NAME AND NUMBER)

William Branca CF3756

4. COUNSELOR'S NAME

5. WORK ASSIGNMENT

unassigned

6. QUARTERS ASSIGNMENT

C-1 1039-1

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

SIR This is a request for copies of the
 Response to Clearance # 27004 initial Response
 from Mr. Nish & initial Clearance # 21373 and
 initial Clearance # 21394 and Supt. Response for 21394

My 6th / Six request

Respectfully

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

 TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

DC-135A

Exhibit
B-9
page 8A

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)	2. DATE
MR. RICHARD ASSIST. TO Supt.	10-1-02
3. BY: (INSTITUTIONAL NAME AND NUMBER)	4. COUNSELOR'S NAME
William Branch CF3756	MR. MR. DUNN
5. WORK ASSIGNMENT	6. QUARTERS ASSIGNMENT
UNASSIGNED	R.H.U.
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.	

SIR THIS IS THE FIFTH TIME I HAVE WRITTEN TO STAFF about
 GRIEVANCE # 27004 initial Response from MR. NISH & initial
 GRIEVANCE # 21373 and initial GRIEVANCE # 21346 and Supt.
 Response FOR 21394.

Incuse Please Find 3 cash slips

Respectfully

UNSWORN DECLARATION

I affirm that the above is true under penalty of the law

Date 10-01-02

William Branch CF3756

Po Box 256

Waynest Pa 18472

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

By MSKLER not stating what paper were needed
 and MR NISH not placing Both numbers on his Response
~~answer~~ For the Supt. and not providing me with information
 of what they had on Both numbers they CONSPIRED to
 dismiss my GRIEVANCE also I did send the initial GRIEVANCE
 in my Packet someone removed them
 See Exhibit B-9

answer to Page 8A on Ronald
 Richards assist to Supt. STATIONARY

TO DC-14 CAR ONLY

TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE



Exhibit
TO:
Be
answering
DATE:
SUBJECT:

9/17/02

SCI WAYMART

FROM: **Ronald W. Richards**
Assistant to the Superintendent

Mr Branch -

WE HAVE PROVIDED you copies
on your responses. If you desire
WE CAN PROVIDE ADDITIONAL COPIES
But will have to charge for them.

PLEASE ADVISE.

R

I send in 3~~00~~ cash slips
But was never sent these copies
WMBranch 4-16-03

Exhibit B-9

DC-13574

Page 8

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

Ken Richards Supt Assistant

2. DATE

9-16-02

3. BY: (INSTITUTIONAL NAME AND NUMBER)

CF 3756 Branch

4. COUNSELOR'S NAME

MR McConaughay

5. WORK ASSIGNMENT

Unassigned

6. QUARTERS ASSIGNMENT

RHU

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

SIR This is the THIRD Time I have written
 To Staff about Grievance # 27004 and initial grievance
 #1373 and initial Grievance # 21394 and Supt Response

Please forward these items

Respectfully

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

 TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

DC-135A

Exhibit

B-9 page 9

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

Ronald Richards ASSIST. TO THE SUPERINTENDENT

2. DATE

9-18-02

3. BY: (INSTITUTIONAL NAME AND NUMBER)

W.M. Branch CF 3756

4. COUNSELOR'S NAME

MR McDONALD

5. WORK ASSIGNMENT

W144H

6. QUARTERS ASSIGNMENT

R TU

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

SIR This is the fourth time I have written to staff about grievance #21304 initial response from Mr. Wish I did not get I do not know why or who but I never received it, also I need initial grievance I wrote on Sgt. McAndrew this was taken by the hearing Examiner McKeown, also I need the initial grievance #21373 and initial grievance #21394 and the Supt. Response for #21394

These items are need per a letter from the Sec. office of inmate grievance. I inclose 3 cash slips please make needed copies *

May I suggest you find a way to deliver these items in the future with a tracking procedure as any staff member can

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

DESTROY these items and they are legal papers covered by the 1st amendment access to the courts.

LETTER

SEE: Request to Supt. Colleman dated July 11, 2002 from Sec. of inmate grievance re: DC-ADM 804-Final Review (if you had sent me grievance No. 21373-21394 these items I would

Request to PCR dated 7-19-02 asking for a copy of my appeal answered by Mr. Delrossa

have sent them to the Sec. of inmate grievance)

Request to Supt. Colleman dated 8-22-02 asking for this material still not provided by staff to me

LETTER TO Supt. Colleman from Sec. office of inmate grievance

Dated 9-9-02 DC-ADM 804-Final Review Grievance #21304

TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS and still your staff has not provided me with these items respect

STAFF MEMBER

AFFIRM UNDER PENALTY OF PERJURY

DATE

I affirm under penalty of law the above is true. W.M. Branch CF 3756

DATE 9-18-02

MR Walsh
Exhibit AA-16

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
2520 LISBURN ROAD, P.O. BOX 598
CAMP HILL, PA 17001-0598

THE SECRETARY'S OFFICE OF
INMATE GRIEVANCES AND APPEALS

May 14, 2002

William Branch, CF-3756
SCI Waymart

I did not post this
To Ms Mosley
because I did not
have enough money
To COPY (uB)
1-27-04

Re: DC-ADM 804 – Final Review
Grievance No. 14843

Dear Mr. Branch:

This is to acknowledge receipt of your appeal to final review of the above numbered grievance.

In accordance with the provisions of DC-ADM 804, effective January 1, 2001, I have reviewed the entire record of this grievance; including your initial grievance, the grievance officer's response, your appeal from initial review and the superintendent's response. I have also carefully reviewed the issues you raise to final review.

Upon completion of this review, it is the decision of this office to uphold the responses provided by staff at the institutional level. Your allegations of staff denying you access to the courts is unsubstantiated. It appears they have done everything they could in order to meet your needs.

The responses provided at the institutional level are appropriate and in accordance with Department of Corrections policies and procedures. Accordingly, your appeal to final review must be denied.

Sincerely,


Thomas L. James
Chief Grievance Coordinator

TLJ:mr

cc: Superintendent Colleran
Grievance Office
Central File

Page 1

(2)

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA. 17001-0598

OFFICIAL INMATE GRIEVANCE

GRIEVANCE NO.

14843

TO: GRIEVANCE COORDINATOR		INSTITUTION	DATE
Chief, Soc. office of inmate Grievance		SCI Waymart	3-13-02
FROM: (Commitment Name & Number) Wm Branch CF 3756		INMATE'S SIGNATURE	
WORK ASSIGNMENT		QUARTERS ASSIGNMENT	
Block Janitor		F-2	

INSTRUCTIONS: I asked for the deadline in January and it is March 13th and I am still not told how much time I have to file a Habeas Corpus. 1. Refer to the inmate handbook Page 12 and DC-ADM 804 for information on the inmate grievance system. 2. State your grievance in Block A in a brief and understandable manner. 3. Next, you are required to list in Block B the specific actions you have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Brief, clear statement of grievance:

see; inmates initial Grievance + inmates appeal to Dept; inclose copies of Request slips and a inter library loan Request. During the Period of my Court Deadline the library staff hindered my access to court. I asked for the deadlines to put in Habeas Corpus to State and to the Federal Government/ courts "they did not know" told me to go research the information. I could not find it and I told them I could not find it. Meaningful access place's a duty on the DDC. a simple thing like times to file motions should be at the staff desk Reason being they give you time to visit the law library and deny you extra time during this court deadline's. all this was done in Retaliation for me accessing

B. Actions taken and staff you have contacted before submitting this grievance:

the Courts and for Reporting misconducts by staff. these request show that I was denied law library for a week by not giving me any time when I asked for twice a day and as I had previously shown my Court date's in January I will

Your grievance has been received and will be processed in accordance with DC-ADM 804.

be seeing these people and asking for \$50,000.00 Respectfully as I have missed my deadline and am injured.

Signature of Grievance Coordinator

Date

DC-804
PART 1Exhibit AA-16
Page 3COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA. 17001-0598

OFFICIAL INMATE GRIEVANCE

GRIEVANCE NO.

14843

TO: GRIEVANCE COORDINATOR	INSTITUTION	DATE
Sgt. Coleran final appeal	SCI Waymart	3-5-02
FROM: (Commitment Name & Number)	INMATE'S SIGNATURE	
William Branch CF-3756	WM Branch	
WORK ASSIGNMENT	QUARTERS ASSIGNMENT	
Block Janitor	F-2	

INSTRUCTIONS:

1. Refer to the inmate handbook Page 12 and DC-ADM 804 for information on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. Next, you are required to list in Block B the specific actions you have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Brief, clear statement of grievance:

see initial Grievance; to this date your Law Library
staff can not tell me or you how much time a inmate
has to put in a habeas corpus after a denial of allowance
to appeal to the state supreme court. I can't find it
and asked them to get this information! I spoke with
Ms Colachina in Jan I show her all my Date's there should
not have been a need for me to show her again. I have
missed the 14 days to ask the court to reconsider and
am coming up on 60 days from the issuing of this order.
if all court orders can be Reconsidered and you have 14 days
to do this how can your STAFF say you can only get 2X
a day the last 2 weeks?

Respectfully

B. Actions taken and staff you have contacted before submitting this grievance:

also look at Request dated 2-20-02 + 2-17-02 + 2-08-02
(2 Request)

Common sense: if I ask to come to law library and you
return the request with no Date know I have court

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Case is pending and my 60 days
are still running

Signature of Grievance Coordinator

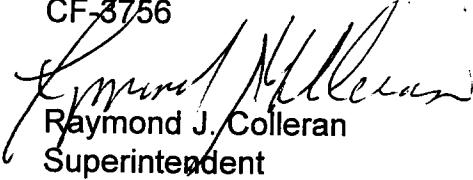
Date

(3 A)

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
SCI WAYMART
570-488-5811
March 8, 2002

SUBJECT: Appeal to Grievance No. 14843

TO: William Branch
CF 3756

FROM: 
Raymond J. Colleran
Superintendent

I reviewed your appeal to the above-mentioned grievance. In reviewing the information provided to you by Mr. Walsh, it appears that our library staff have afforded you an opportunity to come to the law library on a regular basis. Our library staff have tried to cooperate with your requests, but it appears that you may not have complied with the request that they have made to you.

We will not impede your access to the courts, but you must cooperate with our staff so they can accommodate your request to allow the maximum amount of time in the law library.

If you have any specific requests or concerns regarding the law library, I urge you to send a request to meet with Mr. Walsh, our school principal, along with the library staff.

RJC/fb

cc: Mr. Walsh
Mrs. Derrick
Mrs. Colachino

"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime victims."

DC-804

Part 1

Page 3 B

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

14843
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR
Supt. Colaching

FROM: (INMATE NAME & NUMBER)

Wm Branch CF 3756

WORK ASSIGNMENT

Block Janitor

FACILITY

SIGNATURE OF INMATE

HOUSING ASSIGNMENT

DATE:

2-23-02

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B the specific actions you have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.

I received three Court dates about the same time in January I put in for 2x a day I was told that I could only get 2x a day starting 2 weeks before my due date a change from getting 2x a day for the full time of the order.

I explained to ms Colaching that my criminal case was a final order from the state supreme court and that I did not know what options I had left once the time required to file. (the information should be at her desk) I looked but I could not find the options or the timeliness requirements she said jail could find out (a law clerk)

To this date I have no answer also I put in for law library 2-17-02 asking for two times a day, I was not given any time and her reply was a question asking me why I wanted the time.

B. List actions taken and staff you have contacted, before submitting this grievance.

Do I have a new deadline on 2-20-02 I put in a request the same response and no time for law library but asking for proof of my deadline.

Friday ms Colaching called me down to see my Court order again denying all the above as to finding out the time requirement stating I was someone else to do my legal work. The state is required to provide meaningful access not just hand out books

Signature of Facility Grievance Coordinator

Date

She also stated I am so protective secretive about my legal work
White family grievance coordinator legal work body. My business not going on there

Revised
July 2000

2/25/02

DC-804

Part 2

Exhibit AA-16

Page 3 C

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001OFFICIAL INMATE GRIEVANCE
INITIAL REVIEW RESPONSE

GRIEVANCE NO.

14843

TO: (Inmate Name & DC No.)	FACILITY	HOUSING LOCATION	GRIEVANCE DATE
WILLIAM BRANCH, CF-3756	WAYMART	F-2	FEBRUARY 23, 2002

The following is a summary of my findings regarding your grievance:

I showed Ms Colachino my Legal Notice 'S 2 From the court as it is Required in order to get a twice a day spot

I spoke with Mrs. Colachino about your three court deadlines. She acknowledged receiving the court papers. Two deadlines were clear, but you did not provide her with the appeal date of the Final Order Allowance of Appeal Denial. You were instructed to research it in the law library. You agreed to do this, but first wanted twice a day up to and including February 14, 2002. This was granted for the Discovery Motion. The Disposition Motion is due 60 days from 1/14/02. You will be given access twice a day, two weeks before that date by request.

On February 17, 2002, you sent a request to Mrs. Derrick for law library twice a day. Since you did not indicate any new court deadline and the manner in which you wrote dates, lines, and arrows, she was somewhat confused of your intentions. She answered by asking about any new deadline. She never received an answer from you. You were called down by Mrs. Colachino to discuss this on Friday, 2/22/02. You did not provide a new date since you did not know. She suggested that you go to research that day, but you refused and preferred Saturday afternoon. When Mrs. Colachino and Inmate Stober tried to help you on Saturday, you would not cooperate with them. Instead you became irate, loud, argumentative, and disrespectful to Mrs. Colachino. Since you were vague about your case, you were advised about two possible options. You were given legal materials to decide what to do, and when to petition. In addition, you were called the morning of the 25th, but you refused. You never requested the 26th. Your latest request dated the 20th was just received by Mrs. Derrick on the 28th. You will be allowed twice on the 28th in order to research and come up with a new deadline if needed. All else will be once a day until you are two weeks from any deadline.

Mrs. Colachino and Mrs. Derrick have done everything to help you. Therefore, I do not feel you were denied access to the court system.

Here MR Walsh still does not tell me How much Time I have To File a Habeas corpus To the Federal courts.

Print Name and Title of Grievance Officer	SIGNATURE OF GRIEVANCE OFFICER	DATE
MARTIN WALSH CORRECTIONAL SCHOOL PRINCIPAL	<i>Martin Walsh</i>	3-4-02

DC-135A

Exhibit AA-16
Page 4

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER) Ms. Collechino	2. DATE 2-17-02
3. BY: (INSTITUTIONAL NAME AND NUMBER) William Branch	4. COUNSELOR'S NAME Mr. McDonnell
5. WORK ASSIGNMENT Block Janitor	6. QUARTERS ASSIGNMENT F-2
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.	

Please put me on call out

for Law Library during the week
of 2-17-02

8:10 + 12:45 Wednesday

↓ Thursday

↓ Friday

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

This was a order
from the court says
30 days to 60 days
to complete

why 2x2 Do you have a
new court deadline?

 TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

MREQD DATE 21/20/02

DC-135A
Exhibit A A-16
4AD

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)	2. DATE
Ms. Jackieine Law Library	2-20-02
3. BY: (INSTITUTIONAL NAME AND NUMBER)	4. COUNSELOR'S NAME
William Branch CF-3756	Tom McDonnell
5. WORK ASSIGNMENT	6. QUARTERS ASSIGNMENT
Block Monitor	F-2
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.	

Please Put me on park out for
Law Library during the week of 2-24-02

9:10 & 12:45 Monday

Tuesday

Wednesday

Thank you ☺

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

Do you have court deadline?
Please show me
written PROOF OF a court
deadline

TO DC-14 CAR ONLY

TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE
Mar 21 2002

(44)

NUMBER: CF 3756DATE: 2-19-02NAME: W.M. BranchBLOCK: F2Title and Author or Cite*Must be specific in requesting legal materialsAmerican Law Reports 2d A.R. 4th 27I want this publication as it is listed as
a source for a Constitutional Standard* cited from Habeas Corpus 288 22 54also need the end line to file a Habeas Corpus from stateconviction in a federal court. Please

The above: book(s)/legal material(s)/photo-copy(ies) was/were received by me from the loaning institution and inspected. They were found to be in good condition, except as noted below:

Barbara Derrick
Barbara Derrick-LibrarianI received the above:

book(s), legal material(s), photo-copy(ies) on the date indicated below.

/s/ W.M. Branch F35

Borrower's Signature

Date Received 2/28/02

These book(s) legal material(s)/photo-copy(ies) must be returned to the library on or before the following date:

ITEM(S) DUE BACK: 3/21/02

*If legal materials are available in the Law Library, the requested materials will not be duplicated through an Interlibrary Loan.

DC-135A

AA-16
410
Page

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

Ms Derrick Law Library

2. DATE

9-18-01

3. BY: (INSTITUTIONAL NAME AND NUMBER)

Wm Branch CF 3756

4. COUNSELOR'S NAME

Wm McCormell

5. WORK ASSIGNMENT

Block Janitor

6. QUARTERS ASSIGNMENT

F-2

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

Please Put me on call out
 for Law Library on :

9-20 Thur. 12:45

OK 9-21 Thur. 8:10

WRONG date → 9-23 Mon 12:45

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

Rec'd 9-21-01

Thank you ☺

I put this in the
 mail on the 18th
 she stated she
 did not Rec. it until
 the 21st, and she
 did not give any time

mail come's in ~~the~~ after 8:10 in
 the ~~the~~ morning so I could not have
 be called in as note!

Please note there is a pencil used
 to sign in the law library

9-23 - Sun, we're closed

 TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

MSP DATE 9/21/01

DC-135A

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)	2. DATE
Ms Derrick Law Library	12-12-01
3. BY: (INSTITUTIONAL NAME AND NUMBER)	4. COUNSELOR'S NAME
W M Branch CF 3756	M McDonnell
5. WORK ASSIGNMENT	6. QUARTERS ASSIGNMENT
Unassigned	F-2
7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.	

Please Put me on call out

for Law Library on the week of 12-16

Monday 8:10

Tuesday 8:10

Wednesday 8:10

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

Thank you (2)

This is dated the 12th of
Rec'd 3:30 12/14/01 & you wanted before
5pm @ the days today??
Put in another request

TO DC-14 CAR ONLY

TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

P Colachito DATE 12-14-01

DC-135A

AA 16

Page 5

INMATE'S REQUEST TO STAFF MEMBER

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

M. Walsh Ed mod Principal

2. DATE

3-8-02

3. BY: (INSTITUTIONAL NAME AND NUMBER)

Wm Branch CF-3756

4. COUNSELOR'S NAME

M. McCormall

5. WORK ASSIGNMENT

Block Janitor

6. QUARTERS ASSIGNMENT

f-2

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

Sir. I need to know How much time I have to Put in a State Habeas Corpus after the state supreme court Denies a P.C.R.A and I need to know all my options to the court and the time limits to file them I have looked in all the books your staff gave me and they didn't know.

I do know that 14 days to put in a motion for Reconsideration on all orders and based on that how can you limit 2X a day to the last two weeks 14 days is two week that start the day of the order also your library staff should have a list of Time limits

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

at the Desk when they Request to see our court date's the Law library can call the court and get this information and all this would not have happen

Respectfully

 TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

At the
page 6

United States District Court
Middle District of Pennsylvania

Wm Branch

v.

Russian

1:CV-001728

Judge Rambo

Motion to Add

Defendants to complaint

if it Please's the court Here come's William Branch
asking this court to add ms Derrick Librarian to my
4/2/83 complaint, I am charging her with conspiracy
to hinder my access to court, inclosed find 2 Request 2 grievance
and a inter library loan request
Ms Derrick is a Handicap Librarian here at SCI waymart
and I have tried not to see her because she is Handicap
But her involvement has become more pronunce of late
and I am tired of her using her position to interfere
with my Research, I am scheduling for law library
I have written Grievance's but the supt in Colleton
has not answer them, but she has become so outages
I have to report what the staff is upto.

I put in for a inter state library loan consisting of
a new case in the law. State v. Farmer, Tenn, No 40,003
12/11/01 it deals with Evidence; Presented by a Expert
Witness using Computer animation. Ms Derrick Refused
to put my Request through, this Requested case contains
the name of said Expert and the Rule of Procedure's all
use full in any case where a Expert may be used
also Ms Derrick "shouted" to the entire Library that my
case involved putting a nake woman on a Computer and
showing the court and my counselor naked & her conduct
saying she did not say exactly what my Real case was
his name is Mr McDonnell This is all childish and something
needs to be done

4-18-02

Respectfully William Branch
PO Box 256 waymart Pa 18472

Your Honor any inmate can order a regular
Book to Read why is legal material a issue!

NAME: Branch

BLOCK: F-2

Title and Author or Cite*Must be specific in requesting legal materials

Law Case: (State v. Farmer, Tenn, No. 40,003
12/11/01) Evidence; Computer animated
Visualization Experts witness

The above: book(s)/legal material(s)/photo-copy(ies) was/were received by me from the loaning institution and inspected. They were found to be in good condition, except as noted below:

Mr. Branch.

Please explain to me how the above law case is relevant to your incarceration here at SCI-Waymart? Please answer so that I can determine the relevancy of your request.

Barbara Derrick

Barbara Derrick-Librarian

I received the above:
[] book(s), [] legal material(s), [] photo-copy(ies) on the date indicated below.

/s/

Borrower's Signature

Date Received

/ /

These book(s) legal material(s)/photo-copy(ies) must be returned to the library on or before the following date:

ITEM(S) DUE BACK: / / /

*If legal materials are available in the Law Library, the requested materials will not be duplicated through an Interlibrary Loan.

Please Note Exhibit AA/6 Case 1:00-cv-01728-CCC Document 145 Filed 02/03/2004 Page 83 of 92
There is No Date ^{see: Exhibit AA/6} I am still asking for this information ^{Page 8} ^{date 3/13/02} I also sent ^{no answer} a request for ^{no answer} BY the ^{3/3/02} *P. Walsh*

You were informed on two separate occasions of your options. Since you received a final order from the state Supreme Court as denied, you could file a Federal Habeas Corpus within one year (see Federal Rules of Court).

It is my understanding, along with
Ms. Derrick and Mr. Colachino that since
you filed a State P.C.R.A. and were
denied for the last time, that it
would not make sense to file a
State Habeas Corpus at that same
State level. But, if this is what
you wish to do, it is your option.

Library staff, nor an inmate law clerk cannot act as a attorney and tell you what legal action to take. In addition, library staff will not call the court to enquire about rules of court when it can be found here in the law library.

It does not matter what type of motion a inmate submits to the courts. If he feels he cannot meet a court deadline, the Librarian allows that inmate to law library twice a day.

Capt Gavin

DC-135A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

INMATE'S REQUEST TO STAFF MEMBER

INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

Property Room

2. DATE

7-5-96

3. BY: (INSTITUTIONAL NAME AND NUMBER)

William Branch CF3756

4. COUNSELOR'S NAME

Mr Long

5. WORK ASSIGNMENT

Garment Plant

6. QUARTERS ASSIGNMENT

C-2

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

Sir: I was in the hole and told I could only have two boxes of personal Belonging. I was asked what did I want to send out. I told the go not to send my legal material out that evening at 7:00 I was released only to find that part of my legal material was being sent out; this is a violation of my Constitutional Right of access to the courts.

Please check for this Package being shipped to Marcella Terry stop the mailing and return 2539 N Douglas St my legal papers
Pinto 11:32

Thank you

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

Mr. Branch,

Your signature authorizing the shipment of your personal property is present on the Personal Property Inventory Sheet. Also it has been brought to my attention that you packed these items yourself. This not true I did not include my legal papers!

 TO DC-14 CAR ONLY TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

R. Cole C.I.T Page 8

DATE
7/8/96

FORM DC-141 PART II B

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

Rev. 6-84

DISCIPLINARY HEARING REPORT

Exhibit

DC Number CF3756	Name BRANCH	Institution SCI WEN	Hearing Date 10/15/97	Hearing Time 10:10	No. from PART I 295192
INMATE <input checked="" type="checkbox"/> Guilty <input type="checkbox"/> No Plea			Verdict <input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty		
PLEA <input type="checkbox"/> Not Guilty <input type="checkbox"/> Other					

HEARING ACTION

CHARGES **32**

FINDINGS OF FACT, VERDICT, AND SANCTIONS IMPOSED

Plea: Watson & Van
attache
Guilty
Accept plea
remove from job & pay
eff 10/15/97

32 10-15-97

<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	The inmate has heard the decision and has been told the reason for it and what will happen.
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	The circumstances of the charge have been read and fully explained to the inmate.
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	The opportunity to have the inmate's version reported as part of the record was given.
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	The inmate has been advised that within 15 days a request for a formal review may be submitted and that this request must contain specific reasons for the review.

SEE APPENDICES NAME(S) OF HEARING EXAMINER/COMMITTEE
(TYPED OR PRINTED)

I am DR-BH Block
 Director of Inmate Affairs
 I am DR-BH Block
 Director of Inmate Affairs
 I am DR-BH Block
 Director of Inmate Affairs

Hearing Report and all appended information must be signed. Signature indicates finished report with appendices.

SIGNATURE OF HEARING EXAMINER/COORDINATOR

Par of
Exhibit AA-12Not sent to ms masley Ran out of
Money

DC-141 PART III

PROGRAM REVIEW COMMITTEE ACTION

 Misconduct Appeal Periodic Review OtherCOMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

DC Number	Name	Institution	Date of Review	No. from PART I
CF-3756	Branch, William	SCI-Waymart	10/23/97	295142

PROGRAM REVIEW COMMITTEE'S DECISION AND ITS RATIONALE

Mr. Branch is appealing misconduct #295142 on the grounds that the punishment was disproportionate to the offense and the evidence was insufficient to support the decision. The Program Review Committee reviewed the misconduct in question, the actions of the Hearing Examiner and Mr. Branch's appeal. The Program Review Committee notes that Mr. Branch did indeed plead guilty during his misconduct hearing and even in his appeal stated that he overslept. Mr. Branch currently has no noted medical limitations as a legitimate excuse to be laid-in from work. Therefore, the Program Review Committee finds the punishment proportionate to the offense and the evidence was sufficient to support the decision, and sustains misconduct #295142.

DECISION RELATIVE TO HEARING COMMITTEE'S VERDICT

Not Applicable Sustain Sustain-Amend Refer Back For Further Study Exonerate Inmate

Names of Program Review Committee Members	Signatures	Date
Acting Deputy Joseph P. Nish	Joseph P. Nish	10/24/97
Paul DelRosso, Unit Manager	Paul DelRosso	10/24/97
Gerald Sobotor, Unit Manager	Page 6 Gerald Sobotor	10/24/97

FORM DC-141 PART II B		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS			
Rev. 6-84 DISCIPLINARY HEARING REPORT					
DC Number <u>PC3756</u>	Name <u>BRANCH</u>	Institution <u>SCW/M</u>	Hearing Date <u>10/15/97</u>	Hearing Time <u>10:10</u>	No. from PART I <u>295192</u>
INMATE <input checked="" type="checkbox"/> Guilty <input type="checkbox"/> No Plea <input type="checkbox"/> Not Guilty	<input type="checkbox"/> No Plea <input type="checkbox"/> Other	Verdict <input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty			
HEARING ACTION CHARGES <u>32</u>					
FINDINGS OF FACT, VERDICT, AND SANCTIONS IMPOSED					
<p><u>plea: Webs for & ve attacked</u></p> <p><u>guilty</u></p> <p><u>accept plea</u></p> <p><u>remove from job to \$ Pg</u></p> <p><u>eff 10/10/97</u></p>					
<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO The inmate has heard the decision and has been told the reason for it and what will happen.</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO The circumstances of the charge have been read and fully explained to the inmate.</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO The opportunity to have the inmate's version reported as part of the record was given.</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO The inmate has been advised that within 15 days a request for a formal review may be submitted and that this request must contain specific reasons for the review.</p>					
<u>SEE APPENDICES</u> <input type="checkbox"/>					
NAME(S) OF HEARING EXAMINER/COMMITTEE (TYPED OR PRINTED) <u>John Webs</u>			Hearing Report and all appended information must be signed. Signature indicates finished report with appendices. <u>John Webs</u>		
SIGNATURE OF HEARING EXAMINER/COORDINATOR					

FORM DC-141		PART I		COMMONWEALTH OF PENNSYLVANIA			
Rev. 6-84		DEPARTMENT OF CORRECTIONS				295142	
<input checked="" type="checkbox"/> MISCONDUCT REPORT <input type="checkbox"/> OTHER							
DC Number	Name	Institution	Incident Time 24 Hr. Base	Incident Date	Date of Report		
CF3756	BRANCH WILLIAM	SCF	12:30	10/10/97	10/10/97		
Quarters	Place of Incident						
M2	Garment Shop						
OTHER INMATES OR STAFF INVOLVED OR WITNESSES (CHECK I OR W)							
DC Number	Name	I	W	BC Number	Name	I	W
	LAURIA, MIKE COI	X	X				
MISCONDUCT CHARGE OR OTHER ACTION		CLASS II #32					
Failure To Report To Work, unexcused absence from work.							
STAFF MEMBER'S VERSION On Friday 10/10/97 at approximately 12:30 I called M2 Block to check the whereabouts of I/m BRANCH. COI LAURIA informed me that BRANCH was sleeping. This is an ongoing problem with I/m BRANCH not reporting to work.							
IMMEDIATE ACTION TAKEN AND REASON							
Say in from work until seen by the Hearing Examiner							
PRE-HEARING CONFINEMENT				IF YES			
<input type="checkbox"/> YES	TIME	DATE					
<input checked="" type="checkbox"/> NO							
REPORTING STAFF MEMBER SIGNATURE AND TITLE Carol Durase Foreman				ACTION REVIEWED AND APPROVED BY RANKING CO. ON DUTY W.S. Brown COIV			REQUEST FOR WITNESSES AND REPRESENTATION
							<input type="checkbox"/> INMATE'S VERSION
YOUR HEARING MAY BE SCHEDULED ANY TIME AFTER DATE 10-11-97 TIME 0900				DATE AND TIME INMATE GIVEN COPY DATE 10 OCT 97 TIME 24 HOUR BASE 1425			
NOTICE TO INMATE You are scheduled for a hearing on this allegation on the date and the time indicated or as soon thereafter as possible. You may remain silent, if you wish. Anything you say will be used against you both at the misconduct hearing and in a court of law if this matter is referred for criminal prosecution. If you choose to remain silent, the hearing committee/examiner may use your silence as evidence against you. If you indicate that you wish to remain silent, you will be asked no further questions. If you are found guilty of a Class I misconduct, any pre-release status you have will be revoked.							
				Misconduct Category <input checked="" type="checkbox"/> CLASS I <input type="checkbox"/> CLASS 2			Signature of Person Serving Notice RICHARD E. BYRNE Dale L. Lyle
Page 04							

Exhibit -

DC-141 PART III

PROGRAM REVIEW COMMITTEE ACTION

 Misconduct Appeal Periodic Review OtherCOMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

DC Number	Name	Institution	Date of Review	No. from PART I
CF-3756	Branch, William R.	SCI-Waymart	10/2/97	990495

PROGRAM REVIEW COMMITTEE'S DECISION AND ITS RATIONALE

Mr. Branch is appealing misconduct #990495. He is appealing the misconduct on the grounds that the punishment is disproportionate to the offense and the evidence was insufficient to support the decision. The Program Review Committee has reviewed his misconduct, has reviewed the hearing examiner's findings and has reviewed his appeal. It should be noted that inmate Branch pled guilty to a Class II misconduct, #32, Failure to Report to Work, Unexcused Absence. However, the Program Review Committee investigated this misconduct and found, after contacting all parties, that the inmate was laid in until further notice by Mrs. Surace, Correctional Industries Instructor. Correctional Officer Obelenus stated that he had placed this in the officer log and, due to this fact, the Program Review Committee has dismissed this misconduct.

DECISION RELATIVE TO HEARING COMMITTEE'S VERDICT

Not Applicable Sustain Sustain-Amend Refer Back For Further Study Exonerate Inmate

Names of Program Review Committee Members	Signatures	Date
Acting Deputy Joseph P. Nish	<i>Joseph P. Nish</i>	10/6/97
Deputy John Shemo	<i>John Shemo</i>	10/7/97
John Gelatt	<i>John R. Gelatt</i>	10/6/97

FORM DC-141 PART II B		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS			
Rev. 6-84 DISCIPLINARY HEARING REPORT					
DC Number RE 3756	Name BRANCH BR	Institution SCI LEX	Hearing Date 9/30/97	Hearing Time 0915	No. from PART I 990495
INMATE PLEA	<input checked="" type="checkbox"/> Guilty <input checked="" type="checkbox"/> Not Guilty	<input type="checkbox"/> No Plea <input type="checkbox"/> Other	Verdict	<input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty	

HEARING ACTION

CHARGES 7.32

FINDINGS OF FACT, VERDICT, AND SANCTIONS IMPOSED

plea no witness for out theGuilty 32
no Guilty?I accept guilty plea 32
Dismiss 7

*
Examiner does contact both Mo Justice & M. Allen
who tell state that Bush was never laid off
more than one day.

Sanction
Remove from job
& pay off 9/25/97

<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	The inmate has heard the decision and has been told the reason for it and what will happen.
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	The circumstances of the charge have been read and fully explained to the inmate.
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	The opportunity to have the inmate's version reported as part of the record was given.
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	The inmate has been advised that within 15 days a request for a formal review may be submitted and that this request must contain specific reasons for the review.

SEE APPENDICES

NAME(S) OF HEARING EXAMINER/COMMITTEE (TYPED OR PRINTED)

Hearing Report and all appended information must be signed. Signature indicates finished report with appendices.

SIGNATURE OF HEARING EXAMINER/COORDINATOR

J. Welby

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FORM DC-141		PART I		COMMONWEALTH OF PENNSYLVANIA			990495		
Rev. 6-84		<input checked="" type="checkbox"/> MISCONDUCT REPORT <input type="checkbox"/> OTHER		DEPARTMENT OF CORRECTIONS					
DC Number	Name		Institution	Incident Time 24 Hr. Base	Incident Date	Date of Report			
CF 3756	Branch - W		SCF wayne	6:00	9-25-97 9-25-97	9-25-97			
Quarters	Place of Incident		Gymnasium shop						
OTHER INMATES OR STAFF INVOLVED OR WITNESSES (CHECK I OR W)									
DC Number	Name		I	W	DC Number	Name		I	W
	Hessing, Robert COI		X	X					
MISCONDUCT CHARGE OR OTHER ACTION CLASS II # 32									
Failure to report to work, unexcused absence, Class I CATB # 7 Refusing to obey an order									
STAFF MEMBER'S VERSION I have continuously told now ordered Jim Branch that he must report to work. He continuously disobeys these orders and goes to law library. I've noticed the Unit officer several times and he states that Branch is at law library.									
IMMEDIATE ACTION TAKEN AND REASON									
Saw in from work detained until seen by the Hearing Examiner									
PRE-HEARING CONFINEMENT									
IF YES									
<input type="checkbox"/> YES	TIME	DATE							
<input checked="" type="checkbox"/> NO									
			<input checked="" type="checkbox"/> REQUEST FOR WITNESSES AND REPRESENTATION			<input checked="" type="checkbox"/> INMATE'S VERSION			
REPORTING STAFF MEMBER Signature and Title Carol Savage Foreman			ACTION REVIEWED AND APPROVED BY RANKING C.O. ON DUTY W. Hawn COI			DATE AND TIME INMATE GIVEN COPY DATE 9-25-97			
						TIME 24 HOUR BASE TIME 1432			
YOUR HEARING MAY BE SCHEDULED ANY TIME AFTER DATE 9-26-97			Misconduct Category <input checked="" type="checkbox"/> CLASS 1 <input type="checkbox"/> CLASS 2			Signature of Person Serving Notice J. JESCAVAGE COI J. JESCAVAGE			
NOTICE TO INMATE You are scheduled for a hearing on this allegation on the date and the time indicated or as soon thereafter as possible. You may remain silent, if you wish. Anything you say will be used against you both at the misconduct hearing and in a court of law if this matter is referred for criminal prosecution. If you choose to remain silent, the hearing committee/examiner may use your silence as evidence against you. If you indicate that you wish to remain silent, you will be asked no further questions. If you are found guilty of a Class I misconduct, any pre-release status you have will be revoked.									



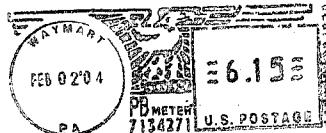
mail

VM. R. Branch CF3756
Po Box 256
Waymart Pa 18472

legal

legal

INMATE MAIL
PA DEPT. OF CORRECTIONS



7002 1000 0005 3999 2618

VM. R. Branch CF3756
Po Box 256
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Legal
Mail

J. CONNER
P.O. Box 983
HARRISBURG Pa. 17108

FILED
HARRISBURG, PA

FEB 3 2004

MARY E. D'ANDREA, CLERK
Per 118

